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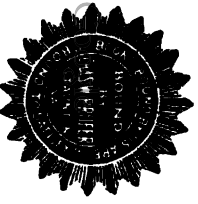

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MINUTES

OF THE

PROVINCIAL COUNCIL

OF

PENNSYLVANIA.

FROM THE ORGANIZATION TO THE TERMINATION OF THE PROPRIETARY GOVERNMENT.

PUBLISHED BY THE STATE.

VOL. III.

CONTAINING THE PROCEEDINGS OF COUNCIL FROM MAY 31st, 1717 TO JANUARY 23d, 1735–6.

Harrisburg:

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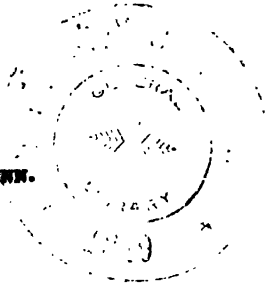

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MINUTES

OF THE

PROVINCIAL COUNCIL OF PENNSYLVANIA.

PHILADELPHIA, y^e^ 31st Day of May, Anno Dom., 1717.

The Honble William Keith, Esq., being this Day arrived from Great Brittain, with a Commission from the Proprietor, & the Royal Approbation, to be Lievtenant Governour of this province & the three Lower Counties upon Delaware. The Honble Collo. Gookin, with the Council, attended by the Aldermen, Comonalty & Officers of the Corporation, Received him at his Landing, and the sd. Commission & Approbation being Produced to the sd. Collo. Gookin & Council, It was Ordered that it should be forthwith Proclaimed; accordingly, The same was Published & Proclaimed in Due form, at the Court house in Philadelphia, The Mayor & Corporation, & Gentlemen & Inhabitants of the sd. City attending, ffrom whence Returning, the said Collo. Keith proposed to the Council, that for preventing any ffailure in y^e^ Administration of Justice, a Proclamation shou'd be forthwith Issued for continuing all Officers of the Governmt. till such time as New Commissions may be Issued, and the Secretary was Ordered accordingly to Prepare a Proclamacon for that Purpose agt. Ten of the Clock next morning, at which time a Council is appointed.

Philada., 1st June, 1717.

The Governour produced a Dedimus Potestatem from the Proprietor, Dated the twenty ninth day of November last, Directed to Jasper Yeates, William Trent, Robert Assheton, John French & others, or any two of them, to Administer unto the sd. Governour such Qualifications as the Law Requires, for Enabling him to Act by Virtue of his Comission as Lieut. Governour of the sd. Province & Counties, and accordingly the sd. Jasper Yeates, William Trent, Robert Assheton, and John French, Administred the Oaths Required by Law, vizt.: The Oaths appointed the 1st of Wm. & Mary, The Declaration of y^e^ 30th Car. 2d, The Abjuracon of the Pretender; as also the Oath required by the Act of 7th & 8th of Wm. 3d, Chap. 22, for the due Observation of the Acts of Trade. After which the Council sate.

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PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	James Logan,
Jaspor Yeates,	Samuel Preston,
William Trent,	Jonathan Dickinson,
Isaac Norris,	Robert Assheton.

The proclamation ordered Yesterday, being prepared, it was Read & Approved, & orders were given for publishing it immediately; also that Copies thereof be sent into the several Counties.

The Governour Ordered that the Qualifications to be taken by the several Members of this Board, shou'd be drawn out Ready to be taken & signed on Monday morning next, to which time the Council is Adjourned.

At a Council at Philadia., y^e^ 3d June, Anno 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Jonathan Dickinson,
Jasper Yeates,	Anthony Palmer,
William Trent,	Samuel Preston,
Isaac Norris,	Robert Asheton.
James Logan,	

The Several members of Council were this Day Qualified, Pursuant to the Order of the Last Council.

The Governour proposed to the Council his going down to New Castle this Day about ffour a Clock in y^e^ afternoon, in Order to Publish his Comission, & Consult of affairs relating to the three Lower Counties, & Desired the Council to Attend him there.

At a Council at Philada., y^e^ 12th June, A^o^ 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Jonathan Dickinson,
Isaac Norris,	Anthony Palmer,
Samuel Preston,	Robert Assheton.
James Logan,	

The Governour Acquainted the Board that having issued his Writts when last at New Castle, for sumoning the Representatives of the three Lower Counties to meet him in Assembly, on the Thirteenth Inst., at New Castle; He intended accordingly to Set out for that Place to-morrow morning, In order to consult with them about

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the most proper methods to be taken for securing the People's Just Rights There, & Asserting Those of the proprietor, on which some Attempts were made lately at Court; And he was pleased to Desire the Opinion of the Board as to the Heads of what he intended to lay before that Assembly, & then the Council adjourn'd

---

At a Council at Philadia., y^e^ 19th June, A° 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill, Jonathan Dickinson,
Isaac Norris, Robert Assheton.
James Logan,

The Governour laid before the Board a List of Names of Persons That were Recommended to Him by the members of Assembly, at the County of New Castle, to be Magistrates for the three Lower Counties of New Castle, Kent & Sussex, & was pleased to Desire the opinion of the Board whether they were fitt persons to act in that station; And then the Council Adjourned.

At a Council at Philada., y^e^ 22d June, A°. 1717.

PRESENT:

The Honble. WILLIAM KEITH, Esqr., Lieut. Govr.

Richard Hill, Jonathan Dickinson,
James Logan, Robert Assheton.

The Govr. Acquainted the Board That his predecessor, Coll. Gookin, had lately accused to him in a particular manner, some persons in the Government, of whom one is a member of this Board, as highly disaffected to his Majesty the King & his Governmt; That he thought such an Accusation from a person who might be supposed from his long Residence here & Station in the Government, to know the men he spoke of, Required the Governour's notice without delay, That he might discharge his Duty to his Majesty, by Removing such members from the Board, if Guilty, or if Otherwise, that they might have an opportunity of Clearing themselves of the Imputation, on which the Governour askt the Opinion of the Board.

But the Council being thin, it was proposed and agreed, That a full Council should be Summoned to meet on Wednesday y^e^ Twenty sixth Inst.; That in the meantime Jonathan Dickinson & Robert Assheton should acquaint Collo. Gookin of the sd. Appointment & End of the sd. Councils Meeting, And that the Govrnr. was of Opinion that his Attendance at that time would be necessary to Enable him by a further & fuller Information to proceed more Regularly in y^e^ matter.

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The Secretary by the Governours Order laid before the Board a Letter he had Received this Afternoon from John Cartledge of Conestogoe, Giving him an account of some Disturbance amongst the Indians there; as also one Inclosed from Lahya, Civility, & some others of the Chiefs of the Indians on Susquahanna, wherein they desired him to come to them without Delay, to consult with them about affairs of Great Importance: They having no notice ('tis Probable) of the Governours Arrival. The Governour Hereupon thought it Incumbent on himself to give them a visit, And to the End they might have time, as they desired, to Call their people together, he was pleased to appoint the seventeenth day of July next, to be the time he wou'd see them at Conestogoe; And in the mean time the Secry. was Ordered to write a Letter to them to that purport, and to send them a Belt of Wampum as a Token of ffriendship & Confirmacon of this message.

At a Council held at Philada., the 26th of June, A° 1717.

PRESENT.

The Honble WILLIAM KEITH, Esqr., Lieut. Govr.

Richard Hill,	Samuel Preston,
Isaac Norris,	Anthony Palmer,
James Logan,	Robert Assheton.
Jonathan Dickinson,	

A full Council being met, according to appointment, The members Ordered at the Last Sitting to give Collo. Gookin Notice of the Councils Meeting this Day, in order to hear his allegations agt. those persons he had accused to the Governr. as highly Disaffected to his Majesty & his Governmt, acquainted y° Governour that they had given Collo. Gookin Notice of the sd. Appointment, And that he told them that whatever he had heretofore said of any member of Council or person in this Govermt., he knew no such person now, & had nothing to Lay to their Charge; That However according to appointment, he was waiting in the Next Room, to know the Governours pleasure, & being desired to walk in,

The Governour told Collo. Gookin, that as he had not long since accused to the Governour some persons in places of Trust in this Governmt., as highly disaffected to his Majesty, the King & his Governmt. The Governour found it Incumbent on him, in Discharge of the Trust Reposed in him by his Majesty, to make a full Inquiry into that matter, for that he thought it of the Greatest Importance to himself, & for his own safety, that those who were in any Trust under Him, but more Especially such as Sat with him at that Board to Advise about the affairs of Governmt., shou'd be persons of Integrity & Loyalty, & truly well affected to his Majesty & his Government. That he had been arrived in the Colony but a

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very Little time, & therefore had but few Oppertunities of Knowing the Gentlemen whom he found in trust, so particularly as might be necessary in such Cases. That it is true he had been in some measure acquainted with most of them, when he bore another Comission in these parts since his Majesties accession, & had not the Least suspicon of their being disaffected. But that Collo. Gookin, by having Resided here so many Years, invested with the Powers of Government, must be supposed to have had much better Oppertunities of Knowing & Distinguishing persons; however that those who made up this Board were the same persons he found members of it at his Arrival, & that he had not Since made any alterations; Yet if Collo. Gookin cou'd Charge any of them with Disaffection to his Majesty & his Governmt., tho' Collo. Gookin Himself had not done it, the Govr. was Ready upon his Information to Proceed agt. them, & therefore desired Collo. Gookin, now at this meeting of the Council, which was appointed for this very purpose, to Exhibit particularly what he had agt. any Person who was either a member of the Board or in any other place of Trust in y^e^ Government, and the Governour wou'd not fail to Exert his power to have full Justice done to the King his master.

Collo. Gookin answered, that it was true that he had told the Governour his Thoughts of Some persons, but that whatever he had formerly Believed of them; yet seeing they had taken y^e^ Oaths or Affirmacons prescribed by Law, he believed now he had been mistaken. That His former accusations were the Effects of his passions, for that he had no matter of ffact nor Expressions to Charge any of the persons accused with, nor Had any thing against any of them. That his Physitian Knew he had been Lately under a great Indisposition of Body which had Disordered his Head, and he believed that what he had said of those matters to the Governour was owing to that only.

The Governour again put it upon him to declare, whether Directly or Indirectly he knew any thing, either in fact or words agt. the persons he had accused, to which Collo. Gookin again Reply'd, That he knew nothing of any kind whatsoever.

The Governr. then desired to know of the Board, whether any of them had any Objection agt. his taking the Answr. of Collo. Gookin as a full acquittal of the persons Charg'd from those accusations. The Board were unanimously of Opinion, That Collo. Gookin had fully Cleared all those he had accused, and the Governour had fully discharged his Duty to the King herein, upon which Collo. Gookin had Leave to withdraw.

The Letters produced at the last meeting of the Council, relating to the Indians, were again Read, that the members who were not present at the Last Meeting might be acquainted with them; and the Governour now also proposing his former Resolution of Going himself in Person to Conestogoe, it was approved of by the Board, & Divers members Exprest their readyness to wait on him thither.

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The Governour farther proposed to the Board, to consider whether it wou'd not be requisite to add to the Council some persons Resident in the Lower Counties, that they might be y^e^ more Capable of Serving the Interest of the publick there, which he recommended to their Consideration, & then the Council adjourned.

At a Council at Philadia., 4th of July, A°., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jasper Yeates, Samuel Preston,
Richard Hill, Anthony Palmer,
James Logan, Robert Assheton,
Jonathan Dickinson.

The Governour acquainted the Board, That as in a former Consultation Relating to the Three Lower Counties, it was thought Requisite that some persons resident in those Counties shou'd be added to the Council. Among those who had been mentioned, Collo. John ffrench appeared, in the Opinion of the Board, to be Particularly Intituled to all the distinguishing marks of Respect & ffavour that cou'd be shown Him for his known abilities to serve the Governmt., & his ffidelity to the proprietor & his Interest manifested upon all Occasions; so now the Govr. Judg'd it a proper time, with the approbation of the Board to admit him, being desired by the Governour to attend for that purpose: Which nomination being generally approved of, The sd. John ffrench was call'd in by Jasper Yeates & Samuel Preston, & accordingly admitted & sworn of the Council, having ffirst taken & subscribed all the Oaths to the Governmt. Enjoyn'd by act of Parliament, & then took his Place.

The Governour then proceeded with the Advice of the Board, to Nominate the persons who should fill the Comissions for Judges, & Justices, in each of the three Lower Counties; and being agreed on, the Lists were Given to the Secretary, with Orders to prepare the Comissions, And then the Council adjourn'd.

At a Council at Philadia., y^e^ 15th July, A° 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill, Samuel Preston,
William Trent, Anthony Palmer,
James Logan, Robert Arsheton,
Jonathan Dickinson, John French.

A Peticon of Thomas Masters was this Day Read at the Board, as followeth:

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To the Honble William Keith, Esqr., Lievt. Govr. of the Province of Pennsylvania, & Three Lower Counties.

The Peticon of Thomas Masters

Humbly Sheweth:

That at the Humble Representation of your peticoner's Wife, Sybella Masters, his Majesty has been graciously pleased to Grant him Two several patents under the Broad Seal; one for the sole Cleansing, curing & Refining of Indian Corn Growing in the Plantations, fitter for Shipping & Transportation, in a manner not before found Out & practised. The Other for the Sole Working & Weaving in a New method, Palmeta, Chip & Straw for covering hatts & Bonnetts, & other Improvements of that Ware, for the Respective Terms of ffourteen Years in that Part of the Kingdom of Great Britain Called England, Dominion of Wales, & Town of Berwich upon Tweed, & the Several plantations in America, as by the sd. Letters Patents, (which he now lays before this Houble Board,) may more at Large appear.

Your peticoner prays Leave to Record the sd. Patents in the Province & Territories, & such a favourable Recommendation thereof from this Board, as may the more Effectually answer his Majesties most Gracious Intentions to him, And promote & fforward such usefull Inventions & Manufactures to the Publick, Which he has at a vast Expence, Set a foot & projected.

And your peticoner shall ever pray, &c.

THO. MASTERS.

The Board having taken the sd. peticon into Consideracon, thought fitt not only to allow the sd. Thomas Masters to Record the sd. patents, but also to Publish them.

The Governour Acqainted the Board that he Intended to set out for Conestogoe to morrow morning early, & Askt the Opinion of the Council whether some presents shou'd not be provided as usual, to give the Indians, & to what value. The Board were of Opinion that Goods to the value of Twenty pounds should be provided, and the Secretary having some Goods at Conestogoe, was Ordered to Disburse y^e^ same.

At a Council at Conestogoe, y^e^ 18th July, 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lieut. Govr.

Richard Hill,	Anthony Palmer,
Isaac Norris,	Robert Assheton,
James Logan,	John ffrench.

Present also the Chiefs & others of the Conestogoe or Mingoe Indians, the Delawares, the Shawanois & Gunawoise, all Inhabitants upon or near the Banks of the River Susquehannah.

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The Chiefs of the sd. Indians being met to Confer & treat with the Governr., Peter Bizalion was sworn to Interpret truly & ffaithfully in the Delaware Indian Tongue what should pass between the Govr. & Council on the one hand, & the Indians on the Other.

The Governour told the Indians that they having lately sent a Message by a Letter to the Governmt. at Philada., Desiring our advise & assistance in some matter of Importance, which seem'd nearly to touch them, And the Governr. being lately sent over by their Great Good ffriend & Brother, William Penn, to act in his place & stead, in Affairs of Governmt., while he Himself is Absent & near the Great King or Emperour of all the English, The Governr. was Desirous without delay to Come with some of his Council to see them, & Enquire what new matter had befall'n them, which had rendered them uneasie; And for this End he is now come with his Council as their Brothers & ffriends, to Hear & Speak with them, and to give them all Necessary Assistance.

After some time spent among themselves in Consultation, the Mingoes or Indians of Conestogoe Answer'd, That the Occasion of their late Letter was to know of the Governmt. what Christians were settled Back in the Woods behind Virginia & Carolina; That they Inquire only about the Christians, with whom we must be better acquainted than they, for they wou'd not Inquire of us Concerning the Indians, being more Capable to Learn it themselves.

The Governour answered that they well Knew the Settlements of Maryland, Virginia & Carolina, to the Southward of us, all Which were subject to the same Great King of England; that each of these had Nations of Indians under their protection Respectively, whom they ffurnished with Goods & Merchandize, as they themselves are under our protection, & ffurnished by us; And that there are no Other English subjects settled in those parts but such as Belong to some of those Governmts.

To which the Indians Appearing unwilling to Answer any thing ffurther; The Govr. Proceded, & told them, by the Interpreter, That they Knew it was the Custom that on Business & Treaties the Indians Shou'd Come to Philada., But that the Governr. ffinding soon after his Arrival, that they were Uneasie, & Wanted the Advice of the Governmt. of Pensilvania as their best ffriends, so he cou'd not be satisfied when he Heard of it, till be Came to see them; That being sent by their Good ffriend, William Penn, to be to them in his Stead, he Expected the same ffreedom & Openness on their parts, that they shou'd show to himself, if here present.

They then prooceeded to say that about two moons or months agoe, a young man, Son to Owchela, a Chief of the Delaware Indians, had been kill'd by some of a Large Company, made up of Christians & Indians; that on this news they apprehended there were some Considerable fforces arm'd agt. them; Upon which they sent to their ffriends, the Governmt. of Pensylvania; But if those Christians were English, they should Inquire no ffurther about it.

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The Governr. then desired a Particular Account of the Loss of that young Man, with all the Circumstances of it, to which it was answered :

That above two months ago, Owechela's three Sons, with ffour other Indians, Hunting beyond the ffurthermost Branch of Potomack, They Discovered about Thirty Christians, armed Horsemen, & about as many Indians, from whom they retired ; That only those three Brothers being near each other in pursuit of their Game, about Ten Days after, & about Twenty ffive miles Distant from the place where they saw that Large Company, & Ranging at some Distance, one of them on the off side heard some ffiring of Guns ; that he thereupon Avoided the place, but not Long after Steering that way, he ffound his Brother shot with two Arrows in his side, & his Head Cutt off, & Carried away ; That by tracing those Indians, & observing where they had Layn, they appeared to have been about Thirty in Number, and that another Indian had Inform'd them the Christians about the same time this murder was Committed, were Encamped at or near the same place Where these Indians had first seen them about ten days before, ffrom whence they Concluded these Indians must have been the same they saw with the Christians, but that those who Escaped saw none of those people at the time, who had Comitted the ffact, & they had nothing further to say.

The Governr. told them he woul'd Dismiss the Council for this Day, & speak further to them to morrow, he Desired them to think in the meantime what they might have further to propose, and the Council adjourning accordingly; the Govrnr. Entertained the Indians in the most ffriendly manner.

At a Council held at Conestogoe, y^e^ 19th July, 1717.

PRESENT :

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Anthony Palmer,
Isaac Norris,	Robert Assheton,
James Logan,	John ffrench.

Present also the Cheifs, & others of the Conestogoe or Mingoe Indians, The Delawares, the Shawnois and Gunawoise, all Inhabitants upon or near the Banks of the River Susquehannah.

A memorial from Capt. Christopher Smith, of Virginia, having been presented to the Governour, was Read at the Board in y^e^ words ffollowing, vizt. :

To the Honble William Keith, Esq., Lievt. Govr. of the Province of Pensilvania & Counties of New Castle, Kent & Sussex, upon Delaware ; and the Honble Council at Conestogoe, Capt. Christopher Smith humbly Sheweth,

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That he being Comissionated & Instructed by the Honble Alexander Spotswood, Esqr., Governr. of Virginia, to Go to New York, and with the Lycence & permission of the Governr. of these sd. province of New York, to Discourse with the Indians at Albany or elsewhere, Concerning the murdering of some Catabaw Indians at ffort Christianna, in the Colony of Virginia, who are in amity with the sd. Governmt. of Virginia, which sd. Insult was then supposed to be committed by the Senequa Indians, and also to Demand the Delivery up of the prisoners taken at the place aforesd., with Reparation for the Insults Done upon the sd. Catabaw Indians.

And whereas the sd. Christopher Smith, by the assistance of his Excellency Brigadeer Hunter, Governour of New York, hath Procured the Confession of the sd. Senequa Indians, wherein they acknowledge that some of their men were Concern'd in the Killing of some of the sd. Catabaw Indians near ffort Christiana aforesd., but Do say that they did not know the sd. Catabaw Indians were in amity or upon a Treaty with the Governmt. of Virginia, and have now Ingaged for themselves, that all acts of hostility agt. the sd. Catabaw Indians, or any others in amity with the sd. Governmt. of Virginia shall leave, and if the Woman Prisoner Lately taken in Virginia by some of their men, who (at present is Escaped out of their hands) be taken up by any of their people, that she shall be safely delivered up to the Governr. of New York, in order to be sent back to Virginia; and the sd. Christopher Smith being lately Inform'd, that some of the Shawnois Indians in the province of pensilvania, & in amity with this Governmt., were present & Concern'd in the murder & Insult aforesd., Comitted at ffort Christianna afd., Humbly Request Your Honours assistance & Countenance in obtaining an Interview with y^e^ sd. Shawnoise Indians, & an Interpreter to assist him in Discoursing with the sd. Indians; and if it appears that any of the Indians in ffreindship with your Governmt. have been Concern'd in the Comitting the aforesd. ffact, That the sd. Christopher Smith may have your honrs. assistance & Countenance in procuring Reparation for the Wrong done, but if it appear that none of the Indians in Covenant or ffreindship with You have been Concern'd in this Cruelty, that then he may be assisted in making such Terms of ffreindship with the sd. Indians, which by his Comission he is fully Impowered to Do, as for the future may do for the safety & Quiet of his Majesties subjects, and the Indians in amity with the Governmt. of Virginia & Pensilvania.

CHRISTOPHER SMITH.

The sd. Capt. Smith (being desired so to do,) produced his Comission from the Governr. of Virginia, under the Seal of that Governmt., together with his Instructions Referr'd to in his sd. Commission, both which were also Read.

And because the subject of the sd. memorial principally Concern'd the Shawnoise Indians, Martin Chartiere, who understood & spoke their Language well, was sworn as Interpreter on this Occasion.

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The Insult lately made on the Governmt. of Virginia, at the fort Christianna, as it is mentioned in the sd. memorial was then fully Related to those Indians, and they were Required to Inform the Governr. whether any of their nation were Concerned in that fact, or know any thing of it.

They answered, that Six of their men had accompany'd that party of the ffive Nations who had Comitted the ffact, but that none of those Six were here present, their Settlemts. being much Higher up Susquehanna River, and being askt such further Questions as Capt. Smith requested might be proposed to them in this affair, they answered to them severally as follows, viz:

That according to the Information they had Received from the Six persons aforemenconed of their Nation, after their return home, there were only Eighteen persons of the whole Company Imploy'd in that attack near the sd. ffort Christianna, and that the above menconed six of their nation were with the Rest, at some Considerable Distance by the side of a Creek or Brook, & were no way Concern'd in it, neither did they know any thing of it untill the Return of the sd. Party of Eighteen who had Kill'd Six men on the spot, took one prisoner who soon made his Escape, & a woman whom they Carried along with them, and that this was all they knew of that matter.

Being further askt whether any of their Indians knew any thing of Killing Major Joshua Wynne, in Virginia about five years agoe, They said they did not know any thing of it.

Whether they knew any thing of the Indians killing a Negroe man in Virginia, Belonging to Capt. Robert Hicks, about ffour years agoe, They answered they knew nothing of it.

Being askt what they knew of some Indians of the ffive nations having about ffour Years agoe plundered a Company of Virginia Indians, Traders at Enoe River.

They answered that they had often heard talk of such a thing, but that none of them were Concern'd in it, or cou'd Give any account of it.

The Shawnoise & all the Indians present were further askt whether they had any prisoners of the Catabaw Nation, or of any other Nation in ffriendship with Virginia. The Shawnois answered that they had one prisoner, a young man taken some years agoe, whom they Produced; but all the Others answered they had none.

It was demanded of the Shawnois that this prisoner shou'd be Return'd to to the Catawbras, from whom he was taken. Their King or Chief answered that they had taken him several years agoe, when he was but a little Lad; that he had now forgot his Native Language, & spoke theirs, and that they did not think themselves Obliged to Return him at this time.

Being further prest to it, The Chief answered that if the King of the Catabaws, whom he now understood were in League with Virginia, would come hither & make a peace with him & his people, (the

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Shawnois,) he might have that young man Back with him, if it was desir'd; but that the Catabaws were a people of Great Extent, & there were many Nations under that name.

The Young Man was askt whether he was willing to Return, but would give no Answer.

Capt. Smith proposed that he might have Liberty to treat with those Indians, in Order to make a League with them in behalf of the Governmt. of Virginia, to which he was authorized by Collo. Spotswood, Comission & Instructions.

The Governr. answered that he did not Conceive it to be necessary or usefull that any persons whatsoever should be permitted to Treat with the Indians, Except the Governmt. of that Colony, to which the Indians Respectively belong'd; but if Collo. Spotswood (for whom the Governour had a very Great Regard) Desired to make any treaty with the Indians who Liv'd under the protection of this Governmt., for Establishing a peace & Good understanding between them & the Indians under the protection of Virginia, The Govrnr. Himself, with advice of his Council, would heartily Endeavour to Accomplish a treaty upon such reasonable Terms as Collo. Spotswood might propose in behalf of Virginia; and that in the mean time the Governr. wou'd now at this Juncture (as it has been usual in this province) insist upon our Indians ffriendship to, & a good Correspondence with, all the English Colony's, with their dependant Indians, & Virginia in Particular.

The Governour then spoke to the Indians by the interpreters, in the words & manner ffollowing:

That they must Carefully remember that all the several Governmts., (which the Interpreters particularly Enumerated,) from New England to South Carolina, Inclusive; Tho' they have Different Governours, Yet they are all subject to the Great King & Emperour of the English; so that when any Governmt. makes a Treaty of ffriendship with the Indians, they must also treat & make the same bond of ffriendship for all other English people, as well as themselves; By which means all the Indian nations who are in League & ffreindship with any English Governmt., must also be ffreinds to each other.

If, therefore, any of you shall Hurt or molest the Indians who are at this time in ffreindship with any English Governmt., You thereby Break the League of ffreindship made With this Governmt., Which, as it has been most Inviolably Observed on our part, We Do positively Expect the same to be Done on yours; and if any of you Receive Damage, or are Injured by Indians who are in peace with any English Governmt., If you can discover what Indians they were that did it, This Governmt., on your Complaint, will Endeavour to procure Satisfaction from that English Governmt. to which such Indians belong.

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The Governr. further told them by the same Interpreters, that he having Given Himself the trouble to come hither at this time, upon their Request he had not provided himself with any presents for them, being they knew that Philadelphia has always been the place of Treaty with this Governmt., where they ought first to come & offer theirs.

But Nevertheless, that it being the first time the Govr. had seen them, he would take this Oppertunity to put them in mind of several parts of their Duty, Which that they might more punctually observe, he had purchased a few things from the Traders, as a small testimony of his Good will toward them.

Then the presents being laid upon the Ground before the Indians, The Governr. proceeded to tell them.

A. 1st. That he Expected their strict observance of all former Contracts of ffreindship made between them & the Governmt. of Pensilvania.

2dly. That they must never Molest or Disturb any of the English Governmts., nor make War upon any Indians whatsoever who are in ffreindship with & under the Protection of the English.

3dly. That in all Cases of Suspition or Danger, they must advise & Consult with this Governmt. before they undertook or Determined any thing.

4thly. That if through accident any mischief of any Sort shou'd happen to be Done by the Indians to the English, or by the English to them, then both parties shou'd meet with hearty Intention of Good Will to Obtain an acknowledgemt. of the mistake, as well as to give or receive reasonable satisfaction.

5thly. That upon these Terms & Conditions the Governour did, in the name of their Great & Good ffreind William Penn, take them & their people under the same protection, & in the same ffreindship with this Governmt., as William Penn himself had formerly done, or Cou'd do now if he was here present.

And the Governour hereupon did promise on his part to Encourage them in peace, & to Nourish & Support them like a true ffreind & Brother.

To all which the several Cheifs & their Great men presently assented, it being agreed, that in Testimony thereof they shou'd Rise up & take the Governour by the Hand, which accordingly they did, with all possible marks of ffreindship in their Countenance & Behaviour.

These leaves were out when delivered to Richard Peters. This is written on a fragment of one of the torn out leaves which are three in number.

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At a Council held at Philadia., y^e^ 31st July, A°., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	Jonathan Dickinson,
Richard Hill,	Samuel Preston,
James Logan,	Robert Assheton.

The Secry. Exhibited an Accot. of Sundry Disbursements & Charges of the Governr's. Journey & Treaty with the Indians at Conestogoe, amounting to fforty one pounds, one shilling & ffour pence half penny, which was Read and allowed, and the Treasurer is Ordered to pay the same.

The Governour acquainted the Board that he Intended, upon his arrival into this Province, to have called the Representatives of the same, to meet him in Assembly; but Considering the season of the Year Required their attendance on their private affairs, he Delay'd it till this time; That he Intended to set out this afternoon for the County of Sussex, in order to Countenance the Justices, whom he had commissionated in administring of Justice, the Court being to be held there in a short time, and was pleased to ask the advice of the Councill, whether it was not Convenient that Warrts. should be Issued out, Directed to the Sheriffs of the Respective Counties of this Province, Requiring them to summon the severall Representatives of the same, to meet him in Assembly, on the Nineteenth day of August next, at which time he Intended to be back again; It was therefore Ordered, that Writts shou'd be Issued out Immediately, & then the Council adjourn'd.

At a Council at Philada., y^e^ 20th August, A°., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Governr.

Samuel Preston,	Anthony Palmer,
James Logan,	Robert Assheton,

Robert Assheton was sent to the House of Representatives to give them notice that the Governour was ready to receive them, who return'd and said that the House wou'd wait upon the Governour Immediately. The Assembly being Come, The Governr. made the ffollowing speech.

Mr. Speaker & Gentl. of the Assembly:

Being informed upon my arrival here that the season of Harvest then at hand could not well permit you to meet me in your Representative capacity, until that bussie time was over, I did out of a tender Regard to your Interests then delay the satisfaction I still proposed to myself in meeting with this present Assembly, and I will always endeavour to make the Time You must necessarily bestow on the Publick Service as easie & pleasant to yourselves, as I hope it will be profitable & satisfactory to the Country in General.

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If an affectionate Desire to Oblige and Serve the People of this Province, Can Qualify me in their good Opinions for the Station wherein I am now plac'd, may then expect that the Countreys and the Governours Interest will be so effectually Established upon one bottom, as that he who truely wishes well to either, cannot but find himself engag'd to serve both.

And you yourselves may easily infer the Warmth of my Inclinations towards the service and prosperity of this Countrey.

First, from the Expensive Application last year, by which I Carefully Introduced to his Royal Highness the Prince of Wales, then Regent, the humble Address of the Assembly of this Province to the King, in such manner as freely to Obtain his Royal Highness's most Gracious assurance; That the people called Quakers were a Body of Loyal subjects, for whom the King had a Great Regard; That his Highness was Sorry the King was not then present to have received so good an address himself, but that the Quakers might at all times depend on his Highness's Good will to Serve them in any thing they had to ask of the King his Royal Father.

Then the Diligence wherewith I obtain'd at a Considerable Charge the Commission of Governour, without any other Certain prospect or advantage, but only that I should be thereby enabl'd more Effectually to serve you.

And Lastly, by the great fatigue I have under gone since my arrival here, that no Oppertunity might be slipped to Encourage Virtue and promote the General good of your Countrey.

But these considerations are Trifles, compar'd with the Indispensible Obligations that is of necessity upon you to Support the Dignity and Authority of this Government, by such a reasonable and discreet Establishment as the nature of the thing and your own Generosity will direct; And whatsoever You shall think fitt to do in that kind, pray let it no longer bear the Undeserved and Reproachfull name of a Burthen upon the People, but rather let your Governour be Enabled to relieve the Countrey from real Burthens, By putting it in his power to direct a better Economy, and more frugal management of such Taxes as would answer the uses for which they are intended, if not squander'd by the barefac'd partiality and unprofitable expence of the Officers appointed to Assess and Collect the same.

GENTLEMEN:

I doubt not but you will take this first Oppertunity, under a new Administration, to Examine the state of your Laws, in order to revive some that are Obsolete or Expir'd, and to make such alterations and Additions as shall be found necessary for perfecting the Constitution and good order of Government in this Province, ffor that End I am on my part ready to Concur with you in every thing which you can possibly desire or expect from a Governour, who Conscientiously Intends to Observe, and steadily resolves to pursue the Duty of his Office.

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At a Council at Philadia., y^e^ 24th August, A^o^., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.
Jonathan Dickinson, James Logan,
Isaac Norris, Robert Assheton.

The Assembly waited on the Governour with two acts, which the Speaker desired the Governour to Pass into Laws, vizt.: An act Intituled an act ffor Raising a Supply of One penny per pound & ffour shillings per head; An act for Regulating the Elections of Sherifs and Coroners, which sd. acts the Governour past into Laws; After which the Governour made the following speech.

Mr. Speaker & Gentl. of the Assembly:

I Received a very affectionate address from your House for which I heartily thank you, and the Generous acknowledgement you have been pleased to make of my Late Endeavours to serve this Countrey, Cannot but Greatly Encourage me Diligently to Carry on the same Publick service in all its parts, Your dudifull Expressions of Loyalty and Affection to the King & Royal ffamily, shall be Carefully represented by me to his Majesty and his servants in the Ministry; and while the spirit of unanimity, and so amiable a Temper with Respect to Government is Continued and preserved amongst you, I will take upon me to say, that you may be ffirmly assur'd of the Kings ffavourable Countenance and Gracious Condescention in all your applications to the Throne.

Gent.: Since you have Observed to me, that it will be Inconvenient for you to Enter upon any business now which may detain you ffrom your urgent affairs at this time in the Country, I can't but Condescend that you make such an Adjournment as you think will best suite with the season of the year, for I shall still have a great Regard to the Opinion, as well as to the advantage and Ease of so good an Assembly.

The Speaker desir'd that the Governour wou'd be pleased to Issue Out Comissions of the peace for the Respective Counties of this Province, the Courts being nigh at hand, and that he wou'd Expedite the Tryal of the Criminals in the County of Chester, and acquainted the Governour that the House Intended to Adjourn to the — & —, & Desired to know if the time of Adjournment any wise Interferr'd with the Governours affairs.

To which the Governr. answered, that the Comissions of Peace for each County shou'd be Issued out Immediately, and that to the time of their Adjournment he had no objection.

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At a Council at Philada., y° 26th August, 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	Jonathan Dickinson,
Richard Hill,	James Logan,
Isaac Norris,	Robert Assheton.

The Governour proceeded with the advice of the Council to nominate persons to ffill up the Comision of Peace for the County of Chester, and produced a List of Names Recommended to him by the Assembly, Which was read & approved off, and it is Order'd that a Comission be forthwith Issued out.

At a Council at Philada., y° 1st Septemr., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	Anthony Palmer,
Isaac Norris,	Robert Assheton.
James Logan.	

The Governour Proceeded with advice of the Council to nominate persons To ffill up the Comission of Peace for the County of Philada., and the persons following were appointed, vizt.: Richard Hill, Isaac Norris, James Logan, Anthony Palmer, Nathan Stanbury, Edward ffarmer, Rowland Ellis, Benjamin Vinning, Josiah Rolfe, John Swift, Robert Jones, Clement Plumsted, Morris Morris, also the Mayor and Recorder of the City of Philada. for the time being, and a Comission was Order'd to be Drawn Directed to the sd. persons to pass the Great Seal.

At a Council at Philada., y° 7th Septemr., A°. 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jasper Yeats,	Jonathan Dickinson,
Richard Hill,	James Logan,
Isaac Norris,	Anthony Palmer,
Samuel Preston,	Robert Assheton.

The Governour proceeded with the advice of the Council to nominate Persons to ffill up the Comission of Peace, for the County of Bucks, and the persons ffollowing were appointed, viz: Joseph

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Kirkbride, Jeremiah Langhorn, Thomas Stevenson, Thomas Watson, Everard Boulton, Thomas Watson of Buckingham, William Biles, Anthony Burton, John Snowdon, Joseph Bond, John Hall & Christopher Vansant, and a Comission is Order'd to be drawn, immediately to pass the Great Seal.

The Governour acquainted the Board that the Speaker of the Assembly had presented him a Bill drawn upon the Treasurer for fforty pounds, payable to such person as the Governour shou'd appoint Attorney Genll. of this Province, and the Governour named Andrew Hamilton as a person who he believed wou'd be found as Capable of that Office as any in the place, and thereupon desir'd the Opinion of the Board, who unanimously Concurr'd with the Governrs. nomination.

The Governour Observ'd to the Board that great numbers of fforeigners from Germany, Strangers to our Language & Constitutions, having lately been Imported into this Province daily dispersed themselves Immediately after their Landing, without producing any Certificates, from whence they came or what they were; and as they seemed to have first Landed in Britain, and afterwards to have left it without any Lycense from the Governmt. or so much as their knowledge, so in the same manner they behaved here, without making the least application to himself or to any of the magistrates; That as this Practice might be of very dangerous Consequence, since by the same method any number of foreigners from any nation whatever, as well Enemys as friends might throw themselves upon us; The Governour therefore thought it requisite that this matter should be Considered by the Board, and accordingly it was Considered, and 'tis Ordered thereupon, That all the masters of vessels who have lately Imported any of these fforeigners be summoned to appear at this Board, to Render an accot. of the number and characters of their Passengers respectively from Britain; That all those who are already Landed be required by a Proclamation, to be Issued for that purpose; to Repair within the space of one month to some Magistrate, particularly to the Recorder of this City, to take such Oaths appointed by Law as are necessary to give assurances of their being well affected to his majesty and his Government; But because some of these foreigners are said to be Menonists, who cannot for Conscience sake take any Oaths, that those persons be admitted upon their giving any Equivalent assurances in their own way and manner, and that the Naval Officer of this Port be required not to admit any Inward bound Vessell to an Entry, untill the master shall first give an exact List of all their Passengers Imported by them.

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At a Council at Philada., y° 9th Septemr., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	Jonathan Dickinson,
Richard Hill,	Robert Assheton.

JAMES LOGAN, Sec'y.

Capt. Richmond, Capt. Towor, & Capt. Eyers, waited upon the Board with the List of the Palatines they had Imported here from London; By which List it appeared that Capt. Richmond had Imported One hundred & sixty-four, Capt. Towor Ninety-one, and Capt. Eyers One hundred & Eight.

At a Council at Philada., the 28th Septemr., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.

JAMES LOGAN, Sec'ry.

The Governour acquainted the Board that Coll. Spottswood, Governour of Virginia, being now here on a visit, had informed him that he had some matters of Importance to the Peace and Security of these Northern Colonies to Communicate to the Governour of New York & himself; That Brigadeer Hunter having given Coll. Spottswood an Invitation to see him at New York, He had resolved to proceed thither, and that it was necessary than decent that he himself also should accompany him thither; Provided, that the Council be of Opinion that his absence at the time of the Ensuing Elections, when some Officers named to the Governr., are to be chosen and Commissionated by him will prove no detriment to the Publick, but that it may be supplied in those cases by the Council; Whereupon the Law Intituled, an act for the further Securing of the Administration of the Government, was read, by which it appeared that the Council, in the Governour's absence, were Invested with full power to act in his stead in all those Cases, as also in all others, Legislation only excepted.

At a Council at Philada., the 3d Octobr., 1717.

PRESENT:

Richard Hill,	Samuel Preston,
William Trent,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.

The Governour in pursuance of the Resolution of the Last meeting of the Board, being Departed with Collo. Spotswood for New

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York, Severall affairs of Government Required the Council in his absence to meet; and being accordingly now mett, Pursuant to an Act Intituled, an act for the further Securing the adm'acon of Governmt., Richard Hill, Eldest Councellor Present, was chosen President, Who took the chair, and ordered that should there happen to be occasion by the Lievt. Governrs. Death or Long absence, he being now Gone to New York with an Intent to Return in Eight or Ten days, That notice shall be given of such Death or Long absence to the Board of Trade, and also to the Governr. in Chief, according to the Directions of the said act.

Owen Roberts, Sherif of the City and County of Philada., waited on this Board, & presented his Return of Coroners for the Ensuing year, and Richard Walker, the ffirst named in the said Return, was appointed Coroner of the City and County of Philadelphia, for the Ensuing year.

Enoch Story, Coroner of the City & County of Philada., Presented his Return of Sherifs for the sd. City & County, & Owen Roberts first named in the Returns is appointed Sherif of the said City & County of Philadelphia, for the Ensuing year.

The Return of Coroners for the County of Bucks was Presented to this Board, and William Biles first named in sd. Return is appointed Coroner for the sd. County for Ensuing year.

The Return of Sherifs for the County of Bucks, was Presented to this Board, and John Hall of the sd. County is appointed Sherif, he living in the Town of Bristol, which will be more convenient for the service of the Publick, and then the Council adjourn'd to the afternoon.

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PRESENT:

RICHARD HILL, Presidt.

William Trent,	Anthony Palmer,
Samuel Preston.	Robert Assheton.

The Corporation of this City Waited upon this Board, in Order to Present Jonathan Dickinson, Mayor Elect to be qualified, who took the Qualifications by Law required.

Owen Roberts, Richard Walker & John Hall, took the several Qualifications by Law required; also, the Qualification for the Discharge of their Duty in their Respective offices.

The Coroner of the County of Chester, presented to this Board the Return of Sherifs for the sd. County, and Nicholas ffairlamb is appointed Sherif of the sd. County for the Ensuing year, he Living in the Town of Chester, which will be convenient for the service of the Publick.

The Sherif of the sd. County of Chester Presented to this Board the Return of Coroners for the sd. County, and Jonas Sandeland, first named in the sd. Return, is appointed Coroner of the said County for the Ensuing year.

The Council adjourned till To morrow morning.

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At a Council at Philada., y° 4th of October, 1717.

PRESENT:

RICHARD HILL, Presidt.

William Trent, Anthony Palmer,
Jonathan Dickinson, Robert Assheton.
Samuel Preston,

The Council being met, Nicholas ffairlamb, Sherif of the County of Chester, took the Qualifications by Law Required, as also his affirmacon for the Due Execucon of his Office.

At a Council at Philada., y° 19th October, 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Isaac Norris, Robert Assheton,
Jonathan Dickinson, James Logan, Secry.
Samuel Preston.

The Governour acquainted the Board that he had Received a Letter from the Assembly at New Castle, who were now sitting, which was Read, and that he Intended to be there to morrow night, that he thought it requisite that some of the members of Council shou'd attend him thither, for that he believed that the Assembly Intended to Proceed to Business.

At a Council at Philada., y° 12th Novemr., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jasper Yeates, Robert Assheton,
Isaac Norris, John French,
Jonathan Dickinson, James Logan, Secry.
Samuel Preston,

The Governour askt the Board whether they agreed with him in Opinion, that it was his Duty to Call for an accot. of Certain moneys Received by the late Treasurer of this Province, by the Direction of an act of Assembly, now read, vizt.: An act for raising Two Thousand Pounds for the Queen's use, and that the sd. money wou'd be most properly Lodged in his hands, whose Receipt is by the sd. act Declared to be sufficient, & the only Legal Discharge therein mentioned to the late Treasurer his Exrs., and the sd. act having appointed the Governour the Person by whom the sd. money is to be paid to the Order of the Crown, no time should be Lost in Calling for and securing the same according to the Direction of the sd. act, to which the Council agreed.

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The Governour askt the opinion of the Board about Publishing a Proclamacon for giving a suitable reward to any person who shall in a Certain time Discover to the Governour or other magistrates any Person or Persons within this Province, or that shall arrive here within the time perfixt, so as that they may be Convicted of Piracy, or to have had any Intercourse by way of Concealing or Giving Assistance to the Pirates, who have lately Infested our Coast & Interrupted our Trade, with a promise that the Governour will most heartily Interest himself to obtain his Maties. most Gracious pardon to such of the Pirates themselves as will voluntarily come unto him and Discover any of their accomplices, so as that they may be convicted by Legal Testimony, and that all Magistrates, &c., be strictly Comanded to take notice of Vagabonds & Suspected persons, more Especially sea faring men, who can give no accot. of themselves, that they may be secured on suspicion, in order to be Dealt with as the Law Directs, to which the Board unanimously agreed, and a Proclamacon was ordered to be Immediately Drawn.

A Peticon of Jane Hayes & Ann Hayes, of the County of Chester, was Read, and Deferr'd till the Atty. Genll. & Chief Justice were present.

The Governour acquainted the Board that he had Deliver'd to one of the Proprietors Comrs., vizt: Mr. Logan. a scheme Concerning the Quitrents of the three Lower Counties, and now desired Mr. Logan to Comunicate the same to the rest of the Comrs., that they make report the next Council. Then the Council adjourned.

At a Council held at the Govrs. house in Philada., y^{e} 11th ffebry. 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	James Logan,
Samuel Preston,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.

The Governour acquainted the Board, That for as much as there seemed to be a necessity upon him to Issue a Comision for the Tryal of Certain Criminals now in Goal for murther, and that he is not satisfied with the presendents and fforms heretofore used in this Province, vizt.: to Grant such Comissions in the Governours name, which the Governr. Conceives from the Kings Royal Prerogative, as it is ascertain'd to be understood in the sense of the Law, by the statute Hen. 8, Anno 27, Cap. 24, ought to be granted & Issue in the Kings name.

The Governour therefore desires that the Board will maturely

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Consider a matter of such Importance, and either Concur in Opinion with him to have Comissions of Oyer & Terminer or Goal Delivery, and all Comissions of the Peace for the future to be Issued in the Kings name and tested by the Governour, or otherways that they will so far agree upon such other certain form, to be used in Granting the said Comissions, as will save harmless and Justify the Governour in his proceeding therein; upon a Debate, and Observing that some members were absent, the farther Consideration of the matter proposed was delay'd to friday next, being y^e^ 14th Instant, at nine in the morning precisely, and the Council was adjourned to that time accordingly.

At a Council at Philada., y^e^ 14th ffebry, 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,
Samuel Preston,
Jonathan Dickinson,
Robert Assheton,
John French,
Isaac Norris,
James Logan, Secry.

The last minute of Council was Order'd to be Read, then the Governour spoke as follows.

GENTLEMEN:

In your last Debates on this Subject, I think it was Generally agreed that such Commissions ought not to run in the Lievtenant Govrs. name, for that was said to be an alteration in the stile which some knew how had crept in, without any Condescension Warrant or authority from the Proprietor & Governour in Chief.

If therefore you continue in the same mind, it's plain that here is sufficient Occasion given for some alteration, So that all arguments in behalf of the Precedents Immediately before us, and for Continuing y^e^ same fforms are to be laid aside, and as I conceive the Question will then come to this single point, vizt.: Whether these Commissions ought for the future to be Issued in the Kings Name and tested by the Governour, or in the Proprietors name with the like Test.

I do not pretend so nicely to Judge of, nor to be so well acquainted with the Nature and Extent of the Proprietors Title to the Dominion of this Country, as several Gentlemen here present, from whose greater Experience and knowledge therein we may doubtless expect to be fully satisfy'd.

But I will pretend to have as true a Regard for the Proprietors honour & Just Interest, as any person whatsoever.

And at the same time I will frankly deliver my Opinion that the Commissions mentioned, ought to be Issued in the King's Name,

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and Tested by the Proprietor and Governour in Chief himself, or in his absence, by the Deputy Lievtenant Governor present; and my reasons for this Opinion are:

1st. That in any case where the King, (as in the Proprietor's Letters Patents,) Expressly reserves to himself and his successors the allegiance due from a subject to his sovereign; his Majesty cannot at the same time be understood to Grant away and transfer any Prerogative which is Essential to, and inseparable from the Sovereignety it self, and which the Common and Statute Laws of England do assert to be the Inherent and unalienable Rights of the King's Majesty.

2ndly. That whatsoever might have been the Practice at the beginning or Infancy of this Colony, Yet by the Course and administration of Governmt. now for several years past, it doth appear that neither the Proprietor nor any officer under him ever so much as claim'd or pretended to the Prerogative of Issuing any manner of Process in the Proprietor's Name, On the Contrary, Acts of Assembly have been pass'd, and are now in fforce to Command and Direct all Process to Issue by Writts in the King's name.

Wherefore I conceive that as the Judges' Commissions cannot possibly be derived or proceed from any lesser Authority; So neither Can two such different and distinct Personages as the King and his subjects, be made Use of to authorize and carry on the several Compounding parts of one and the same Process.

3dly. I have with attention perused this Copy of the Proprietors Letter Patents now in my hand, and do verily think that any person who has been but a little Conversant with the Law & Constitution of England, cannot possibly Interpret the Powers of constituting Judges, &c., thereby Granted to the Proprietor any otherwise than that the Proprietor is by these Letters Patents authorized and Priviledged to make use of his Majesty's name in the Issuing of Certain Commissions for the better Government of the Kings subjects in this Colony, to such person or persons here as the Proprietor or his Deputies shall think proper for that service.

4thly. I cannot but understand the Priviledge Granted to the Proprietor by these Letters Patents of Issuing his Commissions in the Kings Name to such persons as he shall think ffitt to be more honourable of greater authority, and I am sure, attended with more safety, as well as Entituled to greater protection, than if it had or could have been Granted, as some would now seem to understand it.

5thly. Should these Commissions be Granted in any other than his Majesty's Name, I conceive that if it did not actually overturn, it would at least subject all our judicial proceedings in this Government to such Exceptions and Cavils as must render the Magistracy Contemptible if not blameable.

And Lastly, I have but too much reason to apprehend that such a measure would greatly endanger the Proprietors unquestionable

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Right to Chuse & appoint the officers of Government in this Province.

These, Gentlemen, are the reasons why at this time I think that the Commissions for Judges and Justices of the Peace ought to be Issued in his Majesty's name.

But as this matter is in itself altogether indifferent to me on any other Accot. than what is above mentioned, I am not only ready to hear your opinions, but also to follow any advice which you shall think proper and Consistent with my Duty to the King, the Trust which I have received from the Proprietor, and the Reputation of an honest man.

The matter being largely debated, it was alledged on the other side, That the difficulty of coming to any certainty in this and such other points, arises from our not distinguishing fully between the state of England and that of New Colonies made without the Verge of the ancient Laws of that Kingdom.

That as the King of Great Britain can grant his Royal Licence to any number of his subjects, to transplant themselves out of that Kingdom into any other Princes Dominions where they would not be Governed by the Laws of England; So he may unquestionably grant them the same to remove into any foreign Land where they may find footing, and this upon such Conditions as he shall think fitt to prescribe to them.

That these American Lands being new Discoveries of Tracts long Settled by their native Inhabitants the Indians, who were under no subjection to nor had any Knowledge of the Laws of England; those Laws, whenever they come to reach these Lands, must by some Regular method be extended to them, for they cannot be supposed of their own nature to accompany the people into these Tracts, in America, any more than they would the same persons going into any other foreign part of the world.

That King Charles the Second, in the Grant of this Colony to our Proprietor gave him, with the People accompanying him, full power to Enact Laws for themselves not repugnant to those of England, without extending any other than such as were judged absolutely necessary for the peoples peace and Common safety, till such time as they should think fitt to alter them.

That the King, in reserving to himself the sovereignty over these People, declared only that they were to Continue his subjects, and that he was still their natural Prince; But that his Royal Prerogative as exercised in England, which in some measure is a part of the Laws & Constitution of England, can no more be understood to accompany the Sovereignty than all the other Laws can, for in England it is the Prerogative of the Crown, amongst other things, to summon and dissolve Parliament; but it is not so with our assemblies while our own Laws are in force.

That the Proprietor, by Vertue of the Powers of the Royal Grant,

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has by his Charter to the People of this Province, appointed the Election and Meeting of Assemblies; as also the Election of Sheriffs and Coroners, (who in Great Britain are the immediate officers of the Crown) in a manner wholly Inconsistent with the Royal Prerogative in England; and this method being further Enacted into a Law, it has passed the Royal assent, which is a full proof of the Crowns approbation of it. In the same manner the Proprietor might have granted the appointment of Judges and Justices, without any Commission from himself or his Lievtenant, which would have put this matter in Debate out of Question.

Therefore, the Practice in England in these cases cannot properly be pleaded as a Rule to us.

That other Proprietary Governmts. in America, particularly Carolina and Maryland, have used their own stile and granted their Commissions only in the Proprietors names, without being questioned for it as far as we have heard, and the same having been hitherto practised, here appears there no necessity that at this time such an Innovation should be introduced by our selves, while under the Proprietors Government.

That the alteration in the stile of the Writts some few years agoe was but by accident, and implies no necessity that Commissions should run in the same, writts being but a part of the Practice of the English Law, which it has been thought proper in some measure to introduce into our Courts, but that the Commissions being a delegated Power from the Proprietor and his Lievtenants, they may Justly bear the name of him in whom the power of Granting them is principally Lodged.

'Tis therefore humbly proposed, that the Proprietors stile should still be Continued till such time as the Government be resigned to the Crown or such orders be given for that purpose, as have never hitherto appeared that we know of in any Proprietary Government In America.

And a majority of the Council adhering to these sentiments, The Governour at last Condescended, that the said Commissions be Issued in the Proprietors name and tested by the Governour, which was Order'd to be done accordingly.

At a Council at Philadelphia, the 15th ffebry., A°., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill, Robt. Assheton,
Isaac Norris, James Logan, Secry.
Jona. Dickinson,

The Governr. acquainted the Board that the Proprietors Commissioners of Property had lately Represented to him in Writing, that

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certain persons from Maryland had, Under Colour of Rights from that province, lately Survey'd out Lands not far from Conestogo, & near the thickest of our settlements to the Great Disturbance of the Inhabitants there, and that for Preventing the Disorders which might arise from such Incroachments, they Desir'd that magistrates & proper officers shou'd be appointed in those parts in order to Prevent the like for the ffuture.

The Governour also imparted to the Board the Copy of a Letter which he had wrote on this Occasion to Collo. Hart, Governr. of Maryland, and further added, that this Day the Secretary had shewn him a Letter from Collo. ffrench, Informing of ffurther Designs of the same kind, that the same persons from Maryland were Immediately upon putting in Execucon; That hereupon he thought it necessary fforthwith to Call the Council, as he now Did, & Desired their advice what methods might be most proper to be taken in the premisses.

The Board was unanimously of opinion that these proceedures being a Bold & most unjustifiable attack upon the proprietor's Rights and Possessions that have never hitherto been disputed, the Consequences of which must necessarily be Injurious to the settlements of those parts of the Country, and very much disturb our friends, the Indians in that neighbourhood, therefore, some speedy & Effectual measures ought to be taken to prevent these Inconveniences; and Whereas, Collo. ffrench had hitherto shewn a zeal Equal to his Capacity to serve the proprietor in all such cases; It is therefore proposed that he should be appointed by commission from the Gonernr., Ranger & Keeper of the marches of this province, as well as of the Lower Counties, on such terms as he & the Commissioners can agree, with full power to apprehend & bring before the Governour all such Invaders, in order to be proceeded against according to Law.

It is also further resolved, that magistrates shall be appointed in the said Parts as soon as the Names of the most ffitt persons residing there can be had.

Ordered, that a Comission to the sd. Collo. ffrench for the purposes aforesd., be forthwith prepared by the Secretary; And then the Council adjourned.

At a Council at Philadelphia, y° 21st ffebry., 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill, James Logan,
Jonath. Dickinson, Robert Assheton.

An act for Laying a Duty upon Sundry Liquors Retailed in this Province; An act for the better Encouraging the Trade of this Province; An act for Laying a Duty on Wine, Rum, Brandy, Spirits,

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Cyder, hopps & flax, Imported into this province; An act for continuing a Duty on negroes brought in this province; An act for Raising a Duty upon Tonnage of Ships & vessells; An act Concerning ffeme sole Traders were Read at the Board, & several amendments proposed; then the Council adjourned till to-morrow morning.

At a Council at Philada., y^e^ 22d ffebry., A^o^ 1717.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Anthony Palmer,
Isaac Norris,	Robert Assheton,
Samuel Preston,	James Logan, Sec'ry.
Jonathan Dickinson,	

Forasmuch as John Collison, Hance Dollar, John Rennalds, Benjamin Hutchins & John Bell, just arrived into this Colony in the sloop Williams Endeavour, Richard Taylor, master, have appeared voluntarily before the Governour at this Board, and as by their particular Examinacons, have acknowledged their having been lately guilty of piracy, but unanimously asserting that their Behaviour is within the Limitts of his majesties late Gracious Pardon, Which accordingly they do claim; It is thereupon the Opinion of the Governr. & this Board, that they be not apprehended or prosecuted for the Piracys Which they have now acknowledged; but that they may be Dismist until it Can be made appear by some Evidence, that their Condition & Circumstances are not Comprehended within the terms of his Majesties Proclamacon for pardoning such Offences.

An act for the more Effectual Raising County Levys, was read, and a Debate arising abt. the passing of the Bill as it now stands, the Governour Desired that such Gentlemen at the Board who had any substantial objections agt. the passing of this Bill, might either now Enter their Dissent with their reason ont he minutes, or afterwards to extend their Reasons as they think fitt, and if the Governr. shall happen to ffind himself under any necessity of Passing this or any other Bill, Contrary to the majority of opinions at this Board. He declared, that in such Case he wou'd Likewise Insert his Reasons for so doing in the minutes of Council.

POST MERIDIEM.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill,	Anthony Palmer,
Isaac Norris,	Robert Assheton,
Samll. Preston,	James Logan, Secry.
Jonathan Dickinson,	

The Governour having Received two more Ingrossed Bill from

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the Assembly, vizt.: an act for Building Work houses & houses of Correction in each County in this province; also an act for Establishing new fferrys over Delaware River, from Philadelphia to West Jersey; it was moved that they should be read, for the members of Council to observe upon them, & speak to them as have been done to other Ingrost Bills, for that the House of Assembly now Expected the Governour to send for them, in Order to pass such Bills as had already been subjected to the Governours amendments, & were finisht by the House.

Several members stood up, & after having declared their Dissatisfacon that so short a time was given for them to offer such amendments as they Conceived were necessary to several Bills of Importance, they Desired Leave to Withdraw, least their presence, if such bill should be Passt without further amendments, might be understood to Carry their assent along with it.

The Governour then put the Question remain or Withdraw.

Remained.	Withdrew.
Samuel Preston,	Richard Hill,
Anthony Palmer,	Isaac Norris,
Robert Assheton,	Jona. Dickinson,
	James Logan, Secry.

Then the Governour sent Mr. Assheton with a message to the House that he expected their attendance with their Speaker Immediately.

The House attended accordingly, and the Speaker Presented several Bills to the Governr., & in the name of the House Desired that they might be passed into Laws.

The Governour Looking upon the Bills & observing that they had not been signed by the Speaker as usual, Desired that the Bills might be Compleated by the House & signed by the Speaker before they were presented in form to him.

Then the Speaker signed each of the Bills by order of the House, & presented them to the Governour, who Read each title by itself, & so past them into Laws, and they were as follows, vizt:

At a Council at Philadelphia, y^e^ 8th Day of May, 1818.

PRESENT:

The Honourable WM. KEITH, Esqr., Lieut. Governour.

David Loyd, Chief Justice.

Samuel Preston,	Robert Assheton,
Jonathan Dickinson,	John ffrench,
Anthony Palmer,	James Logan.

The Governour acquainted the Board with the occasion of their Being Called, in these Words, vizt:

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GENTLEMEN:

The Justice of this Governmt. having been in some measure Retrieved & vindicated by the Late Court of Oyer, & solemn Tryal at Chester, where two Criminals Convicted of murder, do Lie under Sentence of Death, to be Executed the ninth Instant.

And since by the Royal Charter the proprietor or his Lievtenant here may Grant Repreives in Cases of murder untill his Majesties pleasure is known; I Desire to know what you'l advise me to Do on this occasion.

I for my part, Gentlemen, am fully satisfied from the Judicial proceedings at the sd. Court, where I was myself present, that these persons not only had a most favourable & ffair Tryal, according to the Course of the Common Law of England & acts of Assembly, which are in force here, & not Inconsistent with the sd. Common Law; but also do in my Conscience think that the Proofs were so Pregnant, & the Crime so Black, as most Justly did Infer the Punishment of Death to be Inflicted on the Guilty persons.

Wherefore, unless some good Reasons are offered at this Board, for Repreiving either one or Both of the sd. Condemned persons, I Cannot otherwise be Induced to Withstand or Delay the Execucon of that sentance, which the Law has pronounced.

There was at the same time Presented to the Board a Peticon to the Govr. from the Criminals, accompanied with an appeal to the King, both in these words, vizt.:

To the honble William Keith, Esqr., Lievt. Governr. of the Province of Pensilvania.

The Humble Peticon of Hugh Pugh, Milwright, & Lazarus Thomas, Labourer,

Sheweth:

That whereas your Peticoners now Lie under Sentence of Death, for the murder of one Jonathan Hayes, (altho' God is their witness they never had the Least design or Intention of Killing,) and the day of their Execucon, they are Inform'd, being appointed to be on ffryday next; now forasmuch as your peticoners humbly conceive they have not been tryed according to Law, most of their Tryors, &c. being persons on their affirmacons, your peticoners, for this & other weighty reasons they have to offer, do with all submission Insist upon an appeal to the King, as their undoubted Right not only by the Constitucon of Great Brittain, but also of this province, and Do hereby appeal to his Majesty accordingly, Humbly beseeching your Honr. to cause the Execucon of the sd. sentence to be stay'd by Granting them a Repreive, untill his Majestys Pleasure be known therein.

And your peticoners as in duty Bound shall ever Pray, &c.

HUGH PUGH,
LAZARUS THOMAS.

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To his most Excellent Majesty George, by the Grace of God, of Great Brittain, ffrance & Ireland, Defender of the ffaith & King.

The Peticon of Hugh Pugh, of Chester, in the province of pensilvania, Milwright, & Lazarus Thomas, of the same place, Labourer. Humbly Sheweth:

That Whereas his Late Majesty King Charles the Second, by his Letters Patents, bearing date at Westminster the fourth of March, in the twenty third year of his reign, did Grant unto William penn, Esqr., the Proprietorship & Government of the province of pensilvania; did Impower the sd. William penn, by Judges by him Delegated to award Process, hold pleas, & Determine in all the Courts & Tribunals of the sd. Province, all accons., suits & Causes whatsoever, as well Criminal as Civil, but at the same time did save & reserve to himself, his heirs & Successors, the Receiving, having, & Determining the appeal & appeals of all or any Person or persons of or belonging to the sd. province, as touching any Judgment to be there made or given; Your peticoners therefore Lying under Sentance of Death within the sd. province, as appears by the Record hereunto annexed, do appeal unto your most Excellent Majesty & for reasons of their appeal shew unto your Majesty the reasons following:

1st. Because Seventeen of the Grand Inquest who found the Bill of Indictment Exhibited agt. them, & Eight of the petty Jury who found them Guilty were Quakers, or Reputed Quakers, & were Qualified no otherwise than by an affirmacon or Declaracon contray to a statute made in the ffirst year of your Maties Reign.

2ndly. Because the act of Assembly of this Province by which Judges, Jury & Witnesses were pretended to be Qualified, was made & past the Twenty-Eighth Day of May, In the ffirst year of your Majestie's Reign, which was after the sd. murder was supposed to be Committed; and after another act of Assembly of the same nature was Repealed by her Late Majesty, Queen Anne.

3dly. Because the sd. act of Assembly is not Consonant to Reason, but Repugnant & Contrary to the Lawe, Statutes & Rights of your Majesties's Kingdom.

For these & other manifest Errors in the Record aforesaid, your Peticoners most humbly appeal to your most Sacred Majesty from the sd. Judgment, not Doubting but when the Record & Process thereupon have been Inspected, your Majesty will Cause to be done what of Right, & according to the Law & Customs of your Majestie's Kingdom of Great Britain, ought to be Done.

Hereupon one member delivered his Opinion to this Effect, That he did not Pretend to mollify or Lessen the notorious Crime of murder Committed by these Criminals, whom he thought in his Conscience, justly deserved to Die, & in behalf of whom he had therefore nothing to move; but nevertheless he judged it would be Prudent to Grantthese Condemned persons a Reprieve at this time, & that it was solely & purely his Great Regard to the Security of the

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Government here, which Induced him to be of this Opinion, to which one other member only adhered.

It was answered by the Governour, the Chief Justice, & all the other members present, Vizt: That it was notorious how these very persons now under sentence of Death, had for several years appeared at the head of a Lawless Gang of Loose ffellows, Common Disturbers of the public peace.

That the horrid Crime for which they were now Condemned, had been Committed above three years agoe, And that through the indolence of a fformer administration, which unhappily neglected to bring the Criminals sooner to Justice, they were so hardened & become so audacious as still to continue in their publick Rioting, Caballing & ffighting, to the insupportable burthen, evill Example & manifest Prejudice of the whole people of this Province, & that even they spared not Impudently to Boast that they well knew it was not in the power of the Government to try any Capital Crime according to the Common & Statute Laws of England, which they would claim as their right. That nevertheless they had had a most ffavourable & ffair Tryal, wherein the greatest Care Immaginable was taken to have the proceedings Exactly Conformable to the Laws of England, & those of this Province being perfectly consistent with each other.

That the Crown had granted unto the proprietor & his Lieutenants here, as full power of Governmt. has had been given any where else in America; and that if we neglected to make use of them in a Case of such Importance to the Quiet & future safety of all the Inhabitants of the Province, as this plainly appeared to be from the full Evidence of above twenty Witnesses, We wou'd not only thereby Expose ourselves in the opinion of all good men who duly considered the duty of those Intrusted with such Powers of Government, but also justly become Obnoxious to the Censure & blame of our Superiours; That even the peticons offered by the prisoners contain a full acknowledgement on their parts af the ffact, for which they stand Condemned, and that though a right of appeal, when well founded, & offered according to the necessary form & Direction of the Law, doth lie in all the Governments of America immediately under the Crown, as well as in this Province; yet it was never known, & indeed would be absurd to suppose that a Condemned person could, without any Regard had to ffact or Circumstances, make use of that Right how & when he pleased, in order to Extort a Reprieve from the Execucon of that sentence which the Law had justly pronounced agst. him.

These Peticons therefore being both out of time & most Improperly offered in this Place, The Governour is Clearly of Opinion with the Chief Justice & other members, (saving to such of the Board as are of a different sentiment, the Priviledge of Extending their Opinion & the Reasons of it upon the minutes of Council.) That the Constitucon of this Province, as it is Established by Law, must be maintained & supported, & that it is by no means Expedient or

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prudent in this Case for the Govenr. to Interpose, or any way Interrupt the Execucon of that sentance, which the Law has so solemnly Pronounced agst. the Criminals.

At a Council at Philada., y^e^ 27th May, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Samuel Preston,	Robert Assheton,
Isaac Norris,	John ffrench.

An act for the advancement of Justice & more Certain administracon thereof; An act Impowering the Justices to settle the Prices of Liquors in Publick houses, & Provender for Horses in Stables; An act for Continuing the ferry from Bristol, in the County of Bucks, to Burlington, in the Western Division of the province of New Jersey; An act for Establishing a fferry over Delaware at the ffalls, as also an address from the Governr. & Assembly to the King, were Read at the Board, & a Committee of the Council were appointed to make such amendments to the sd. Bills & address as they thought proper, & Lay them before the Board at their next sitting.

Road from Conestogo to T. Moores&Brandywine.

A Peticon of several of the Inhabitants of & near Conestogoe, setting forth the Great necessity of a Road to be laid out from Conestogoe to Thomas Moores & Brandywine, was read, & the Board having taken the sd. peticon into Consideracon, appointed Isaac Taylor, John Taylor, John Cartledge, Ezekeil Harland, Thomas Moore, Joseph Cloud & William Marsh, to Lay out the sd. Road, & make Report thereof at this Board, in order to be Confirm'd.

At a Council at Philada., the 29th May, 1718.

PRESENT:

The Honble WILLIAM KIETH, Esqr., Lievt. Govr.

Isaac Norris,	James Logan,
Jonathan Dickinson,	Robt. Assheton.

The Comittee appointed by the Last Council to make amendments to several Laws then Read, Report that they had made several amendments and laid them before the Board, which amendments were read & Considered, and James Logan & Robert Assheton were ordered to carry the bills, with their ammendments, to the House, & then the Council adjourned.

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At a Council at Philada., the 30th May, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Isaac Norris,	James Logan,
Jonathan Dickinson,	Robert Assheton.

An act for supplying Defects in the Law for the Releif of the Poor, was read at the Board, & several amendments made, which were Ordered to be Carried to the House by the Secretary, and then the Council adjourned.

At a Council held at Philada., the 1st of June, 1718.

PRESENT:

The Honble WILLIAM KIETH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Samuel Preston,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.

The Governr. Laid before the board two Votes of the Assembly, signed by the Speaker, in these words, vizt.:

May 31st, 1718.

A Motion being made & the Question put, That an agency to be settled in London for negotiating the Publick affairs of this Province, Especially to Present an address to the King, signed by the Governr. & Speaker of this Assembly, and also to use Endeavours to obtain the Royal approbacon to such of our Laws as shall be transmitted thither from time to time, and that the Governour & Council be Desired to appoint an agent for that Purpose.

Past in the affirmative.

A motion being made & the Question put that the sum of one hundred & fifty pounds be Issued out of the Treasury of this Province, by order, under the Speaker's Hand, for such an Agent, and to Defray the necessary & Contingent Charges of his negotiation in the Premises.

Past in the affirmative.

WILLM. TRENT, Speaker.

The Governour. thereupon informed the Board that just now an oppertunity Presented for this River directly for London, which in his judgment ought to be embraced, the appointment of a proper agent to negotiate the Publick affairs of this Province, being of such Importance to the security of the Government here, that it ought by no means to be Delay'd, and therefore Recommended it to the Consideracon of the Board, Either to name a person suitable for that Trust, or otherwise to think of the best method for appointing one.

Resolved, that Henry Goldney, with the Concurrence & approbation of the Proprietor or his Lady, be desired to nominate such a

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Person near the Court as in the best of their Judgment they shall think the most Capable & proper to negotiate our affairs as agent for the Province, to whom they are to allow so much of the menconed sum, vizt: one hundred & ffifty pounds money of this Province, as they shall think most Reasonable, and the Secretary is ordered to transmit an authentick Copy of this minuet to the sd. Henry Goldney.

At a Council held at Philada., the 15th June, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr. Lievt. Govr.

William Trent,	Jonathan Dickinson,
Isaac Norris,	James Logan,
Samll. Preston,	Robert Assheton.

The Governr. acquainted the board that one Martha Underdown, a single Woman, having at a late Court of Oyer & Terminer, held in the County of Bucks, been Condemned for murdering her Bastard Child, for which sentence of Death had passed upon her, The Judges of the sd Court, Vizt: Chief Justice Lloyd & Judge Trent had apply'd to the Governr. in a writing under their hands, & which was laid before the Board, Representing the Criminal as an object of Compassion, & thereupon Recommending her to the Governrs. Mercy to Reprieve her for such time as he shall think fitt; Upon which the Governour desired the advice of the Board, And it was their Unanimous Opinion that the sd. Offender having first been Recomended by the magistrates of the County to the Judges as they have Represented it to the Governour, and the Judges before whom the Tryal was, Concurring in Opinion that she is a fit object of mercy, and as such have Recommended her to the Governr; The Governr. therefore, if he think fit, may make use of the Powers of the Royal Charter, & with good reason Grant her a Reprieve, and accordingly a Reprieve was ordered forthwith to be made out under the Great Seal of this Province, for suspending the Execucon of the sentance of Death, past upon the sd. Martha Underdown, for the space of Twelve months after the day appointed by the Death Warrant, already signed by the Judges, for Executing the sd. sentance: Provided always, that the sd. Reprieve & the Effect thereof shall Terminate by, & be subject unto, any order & Direction that may within the sd. Twelve months Come from Great Brittain, to signify his Majesties Pleasure Relating thereunto, and then the Council was adjourned until ffryday next, in the afternoon.

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At a Council held at Philada., the 16th June, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	Jonathan Dickinson,
Samuel Preston,	James Logan.
Robert Assheton,	

Tagotolessa or Civility, the present Chief or Captain of the Conestogoa Indians, with Weeaywais, Soohayesse, Cannatellan & Calhagheherot of the same nation, Methawennah, Chief of the Shawnois above Conestogoe, George, an Indian sent to Represent the Ganawais & Sheeckokonichan, a Chief of the Delawares, formerly on Brandywine, all at present Inhabitants on Sasquehannah, being lately come from their respective habitations to Pay a visit to this Government, they now waited on the Governr. & Council, and John Cartledge & James Hendricks being Interpreters, both skilled in the Delaware Tongue.

The Governr. Ordered John Cartledge to acquaint them, that upon their Visit he had at their desire now Called a Council, in Order to Hear what the Indians had to Lay before them.

Tagotelessa, Captain of the Conestogoes, said that they were Come only on a ffriendly visit to see us, & to Renew the old Leage of ffriendship that had hitherto been between us and them, that most of their old men were Indisposed & cou'd not undertake the Journey, but they had Brought some of their young men to see us, & Learn how they of themselves Ought when they come to more advanced years treat with their parents & friends.

The Governour told them their Visit was very acceptable, he hoped all was well with them, but desired them now to be free, & if they had any thing to Complain of that wanted to be Redressed, they should without reserve comunicate it.

They then presented a small bundle of Skins, & said, that they had sometime before the Governours arrival lost their King in war, but there were those left amongst them who have the same Respect & Friendship for this Governmt. that he had in his life time. That now he is Gone they are more sensible of their Loss of so good a man to Govern them, & they heartily Lament him, but they hope his Place will be supply'd and the same ffriendly Disposition will always be continued among them. And they now desire the Governour to take notice, that tho' their Last Good King is taken from them, they have one yet left who was nearly related to him, who has an English heart & a Great Love for the Christians. Him they have now Chosen for their King in the others stead, & as such present him to the Governr. by the name of Oneshanayan.

They then laid down a Second small Bundle of Skins, & proceeded to say, That their King being present with the Chief of Shawnois & Ganawase, what he, vizt.: Tagotelessa or Civility says is what

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all agree in with one voice & mind; That they are Glad to find themselves in full happy Circumstances, for that they have not for some years past had a Governour who took such notice of them, but now the present Governr. gives them the same satisfaction as if they thought William Penn himself were amongst them; that they had brought a few skins, not by way of Present, for they were not worthy to be accounted such, but only to Lay them under the Governrs. ffeet to keep them & his House Clean; that they Came not to make any new Treaty or League of friendship, but only to Renew or Confirm those which had been made, & were hitherto Inviolably kept on both sides.

They threw down a third parcel of skins, & Civility said, that he with some of the young men had this Last spring some Inclinacon to Go out to war towards the Southward, but being put in mind that it would not be agreeable to this Governmt., and afterwards Receiving the Governors letter forbidding them to Proceed, they Desisted; that they Intend to go out this next winter a hunting that way, & think it proper to acquaint this Governmt. therewith, for that they bear such a respect to the Governmt., & know that we have always been so ready to Protect & assist them, that they are agreed not to do any thing which will be disagreeable to us; That they look upon themselves but like Children, Rather to be Directed by this Governmt. than ffit to offer any thing more on this head

But they must Crave leave to add one thing further, vizt: that they have reason to think the authority of this Government is not duly observed, ffor that notwithstanding all our former agreements, that Rum should not be brought amongst them, it is still carried in great Quantities, They had been doubtful with themselves whether they should mencon this, because if they were supplied with none from hence, they wou'd be from Maryland which wou'd be a means of Carrying of their peltry thither, but there have been such Quantities of that Liquor Carried of Late amongst them, by Loose persons who have no fixt settlements, that they are apprehensive mischief may arise from it, that tho' they are perfectly well Inclined when sober, yet they Cannot answer for their people when drunk, and Least any Inconveniencies may Ensue from thence to this Government whom they so much Respect, as well as to their own people, they Desire this may be taken into Consideracon, in order to be prevented & redressed by all proper measures.

Shecokkencean added, that the young men about Pextan had been lately soGenerally debaucht with Rum,carried amongst them by strangers, that they now want all manner of Clothing & necessarys to go a hunting, wherefore they wish it would be so ordered that no Rum shou'd be brought amongst them, by any Except the Traders who furnish them with all other necessarys, & who have been used to Trust them & Encourage them in their Hunting.

Having thus Delivered themselves they withdrew, and the Treasurer & Secretary were ordered to take an account of the Real value

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of their small presents, & to Provide some English Goods Exceeding that value by about one ffourth or a Third part at most, and then the Council adjourned to ffour in the afternoon.

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POST MERIDIEM.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lt. Govr.

William Trent,	Jonathan Dickinson,
Isaac Norris,	James Logan,
Samuel Preston,	Robert Assheton.

The same Indians attending again, the Governr. Ordered the Interpreters to Deliver to them what ffollows, being first Drawn up in writing, viz:

That their friendly visit on a Design to Brighten & Strengthen the Chain which had for so many years bound, & united them & this Governmt. together as one People, was very acceptable. They were sensible that William Penn, the Lord of this Country, had been as a Common ffather to them; that he had Given it in Charge to all those who Governed in his stead, to treat them in the same ffreindly manner he had Done himself; that the present Governour, for his part, shou'd always as ready as a father to Embrace & Support them, while they Continue the same fidelity to this Government they had hitherto done.

That we were all much affected with the Loss of their Last Good King, and the Governour wou'd have been pleased to see more of their old men, that however he now took the young men that came on this visit by the Hand, as those that were coming up in the places of the ancients, & were to continue the same ffriendship with our younger people, that their parents the Elders of both sides had done before them.

That we kindly Received the Person they had appointed their King or Chief, in the place of our good Deceased friend, if it be by a general approbation. The Governour hoped he would always have the same heart & ffriendly Disposition towards the English, that his Predecessor was well known to have in his Life time, & would unite himself & all his People with this Governmt. as one heart & one body; that for the future we Shou'd apply to him as their Chief in all publick Busieness, & Doubted not but the old men wou'd assist him with their advice in the best manner for their advantage, & for preserving a strict tie of Friendship with us.

That the Governour Cou'd not take in good part their motions towards going to War last Spring, Considering they had Engaged themselves to the Contrary in their Last Treaty with him at Conestogoe. The Governour Expects they will not make the least advance that way for the ffuture, without the approbacon & Leave of this

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Government, for they are now but weak of themselves, and may by rash attempts Draw powerfull Enemies upon them, & not only Intirely ruin themselves, but Engage us also as their ffriends into their Quarrels; They must therefore be Governed in this Point by this Government, who can judge better of those affairs than they are Capable;

The Governour is sensible they may have too just Cause to Complain of Loose Idle fellows bringing Quantities of Rum amongst them to their Great Injury, that this has not for some time past been sufficiently Look't after, but the Governour wou'd speedily take Care to have it in a great measure prevented. That they of their parts must Endeavour to prevent their women & young people from Coming to Philadelphia to Purchase & Carry up Rum from hence, which too many were ready to Deliver them privately for their skins, and that when they meet with any brought amongst them, they shou'd stave it, as they had formerly been ordered & undertook to do. That in Referrance to the Surveys of Lands, they Cannot but be sensible of the Care that has been taken of them, they had Expressed a willingness to Retire from Conestogoe; Yet the Governmt. here had perswaded them to Continue near us; We had Run a Line Round them that none might come near them, and had fenced their Corn Fields by John Cartledges Care, who alone being placed within those Lines, may be the more Capable of Looking after the Tract & the bounds of it. It is also further thought fit, that Lines should be Run Round the other Indian Towns, as soon as Conveniently may be to secure them the more Effectually from Incroachments. But while such Care is taken of them, 'tis Expected they shall in all Cases on their parts shew a Due Regard to this Government, that they be aiding to all its officers in what may Lie in their power, that they Suffer no Idle persons to Spread Rumors amongst them, or if they hear any such that they give no Credit to them, that if they Can Discover any Evil minded persons to have ill Designs agt. this Governmt., or any Part of it, they must without Delay Disclose it to the Governour or some person in authority under him. In fine, they Ought ever to Consider us as their Best & nearest Friends, who have always been & ever will Continue Ready to Releive & protect them, while they on their parts Remain faithful as their ancestors or ffathers have hitherto done before them.

That as they offered the Governour a small Token, so now for the Conveniency of their return, there are a few Garments Provided for them, with some powder & Shot to kill Venison, some Tobacco & pipes, and when they Go some Bread & a Dram will be provided for them, and the Governour Expects they will be Carefull hereafter to Provide Likewise for himself & his attendants, or those who shall be sent at any time for their service to Conestogoe.

These things being delivered to them they appeared very well pleased, and to that part in which the Inclosing by Surveys the Lands where they are seated, which should not be broke in upon;

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they further desired, that the Lands on which the Shawneis & Ganawese are settled on Susquehannah, should Likewise be Encompassed with Lines at the Distance of ffour miles from the River, that they might not be Disturbed with the Cattle of any persons settling near them.

The skins they delivered in the morning having been numbered & weighed as ordered, they were found to be,

38 summer Deer Skins in the hair, many of them ordinary, wt. 68l. at 18d.,	£5.	2.	0
10 small Drest Deer Skins, wt. 18l. at 3-6d.,	2.	2.	0
1 Good Winter Buck in the hair,		6.	0
2 Bear Skins a 8ps.,		16.	0
	£8.	6.	0

What is prepared & was now Delivered to them, are

8 Stroud Water Coats of the best sort, a 17-6d,	£7.	0.	0	
10 lb. of Powder, a 20d.,		16.	8	
20 lb. Lead, a 3d,		5.	0	
6 pr. Stockings, pt. Blew & pt. Red, a 2-9d.		16.	6	
1 Dozn. Tobacco Boxes, a		7.	0	
1 Dozn. Tobacco Tongs, a		4.	6	
12 lb. Tobacco, a 4d.,		4.	0	
3 Dozn. Pipes,		1.	0	
1 Red Stroud to the Queen,		17.	6	
			£10.	12. 2

These being Delivered the Governour Gave them an Entertainment, and the Secretary was Ordered to provide for them, as from the ffirst, all necessarys During their stay & for their Journey on their return home.

At a Council held at Philada., the 4th day of July, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jonathan Dickinson, James Logan,
Samuel Preston, Robert Assheton.

The Board proceeded to nominate persons to be added to the Comissions of peace for the County of Philada. & Chester, & the Persons following were appointed:

For the County of Philada.: Samuel peres, Samuel Carpenter, Richard Moore, Charles Read & Robert Jones, of Merion.

For the County of Chester: John Wright, next to Jasper Yeates, Nathaniel Newland, Andrew Job, Elisha Gotchell, John Cartledge & Francis Worley.

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A Peticon of several of the Inhabitants of the township of Northern liberties, was Read, setting forth that they had purchased & Improved several Tracts of Land between the City of Philadelphia & Whitsahicken mill, and that there was no Road from the sd. City to the sd. mill as yet, Establisht according to Law, whereby they were at a Great Loss how to bound their Lands, & Craved that the Board wou'd appoint some fit persons to Lay out the sd. Road. The Board having taken the sd. Peticon into Consideracon, Did Order that George ffezwater, George Claypoole, Israel Pemberton, William ffishbourn, Jacob Dubric, & Andrew Robeson, junr., or some ffour of them Do Lay out the sd. Road, & make Report thereof to this Board, in Order to be Confirm'd.

At a Council held at Philada., the 22d July, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Samuel Preston,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.

The Governour acquainted the Board that several mariners, who had lately been taken by pirates, having made their Escape in a Sloop to which some of them formerly belonged in the merchant service, were Come hither for protection, & had Voluntarily delivered themselves & the Sloop into the Governrs. hands, and the sd. mariners attending, they were ordered to be Called in and answered to their names, as follows, Vizt.: Richard appleton, John Robeson, William Williams, John fford, Benjamin Hodges, John Barfield, James Mathews, Samuel Barrow, Gregory Margoveram, Renold Glorence, Walter Vincent & Timothy Harding, Richard appleton for himself, & in the name of all the others present, being desir'd to give the Governr. & the Board as Particular an account as he Could of himself & his ffellow Companions. The ffollowing narrative was taken from his mouth, to which they all agreed, Vizt.:

That he had sailed from Jamaica about five months ago on board this very Sloop, under the Comand of Capt. Pinkethman, in Order to Go upon the Wrecks: That the Captain Dying Outward bound, one Tempest, who was master, had the Comand after him: That they Called in at Providence at the same time that his majesties ship Phoenix was there, & sail'd out from thence with the man of war & proceeded to Walkers Key, where in Company with another Sloop, Capt. Greenway, they workt upon a wreck almost three weeks, but not with any Success; So that both Sloops went to the Bimmenys other Keys, where they found another wreck, but nothing Left upon it. This bad Fortune so Discouraged the people, that by

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Greenways Instigacon, upon the Twenty ffourth of May Last they mutiny'd, took possession of this Sloop & all the arms, & threatened to shoot Captain Tempest & all that wou'd not Go along with Them, under Greenways Comand, to Death Immediately; but in a Day or two they put Capt. Tempest & ten or twelve men along with him in the other Sloop, & then they departed on pretence to Go upon the Florida Wrecks, where they arrived & Came too under one of the Spanish Batteries; But the people from shoar firing upon them they went from thence a Little to the Southward of Charles Town, in South Carolina. & Came on shore in Order to ffit the Sloop with a new mast, which accordingly they did in about three Weeks time; Coming out from thence they met with a small Sloop from Providence, bound for Carolina, Daniel Stillwell, master, but Took nothing from him Except what they paid for, afterwards they Concluded to Go into the Latitude of Bermuda, & in their Way met with a ffrench Ship, about twenty ffour Guns, they ffired a shot at the ffrench man, who Return'd another & Slung his yards Ready to Engage them, but they Chose to Leave her, knowing the ship to be the same which Jennings had formerly taken & sent to Jamaica; Upon which account he was ffirst Declar'd Pirate, two Days after this they saw Eleven sail which they supposed to be the Spanish ffleet & gave them Chace, but observing one Large Ship Lie by untill the other Got a head, they Left the Pursuit & kept on the same Latitude, about thirty Leagues distant from the Island of Bermuda, where they met with a small Sloop from Maryland, bound to Bermuda & Barbados, took some Tobacco & hoggs from her, & fforced two of their men, vizt.: John Ford & Gregory Margoveram, both present, next Day they Came up with a Bermudas Sloop, put ffive & Twenty men on board of her & kept her for a Consort; One of the men belonging to the Bermudas Sloop is here, vizt.: Benjamin Hodges, then they stretched to the Eastward for three Days, with Intent for Mona or some part of the West Indies. On the third about two o'clock, being Sunday, the Sixth Day of this month. in the morning, they Gave Chace to a Ship, & when they Came up with her fir'd a Shot with a Volley of small arms, upon which she struck; she belonged to Liverpool, about one hundred & thirty tons, homeward Bound from St. ⋈ tophers, with sugar, —— Richardson, master. The Pirate, Capt. Greenway, the Gunner, Doctor & other officers went Immediately on board the Ship, but the Sloop being to Leward of the Ship the Ship took the wind from their sails, by which means they accidentally fell on board the Ship & broke a Set of Oars upon the Sloops Quarter, this Gave Occasion for most of the men in the Sloop, being eager ffor plunder to Jump on board the Ship, & when the Sloop sheer'd of these men here whisper'd one another, that now was their Best Oppertunity to Escape, Whereupon Richard Appleppleton being armed, seized the Helm, sent John Robison down to Secure the Stores & order'd the Negroes to hoist the sails, upon which one of the Pyrates took up a musket & snapt it twice at the sd. Richard, then fired but missing, he Club'd the peice & wounded

Richard on the head, upon which One of the Negroes shot the Pirate with a Pistol through the belly, & another wounded him in the Thigh; then they bound this Fellow & Seven more of his Companions, being half Drunk, put them in the Canew & Set them adrift, the Ship & Sloop Gave us Chace, & we saw them take up the men in the Canoe, but this Sloop sail'd so well that we soon Lost them; We saw several Sail in our way hither, but avoided Speaking with any, being all Resolutely Determined to Blow our selves up before we shou'd be taken by any Pirate; that we were unanimous in Coming into this Place to Deliver the Sloop & ourselves up to the Governr., & to Implore his Countenance & protection, not as Pirates, but as honest men Imploy'd in the mercht. service, and who never had been accessary or in the Least Concern'd in the Villainous Designs & practices of those from whom we have now made Our Escape with the utmost Risqe of our Lives, and all of them with one Voice submitted themselves in this manner, affirming the same thing.

The above narrative being taken into Consideracon with all the Circumstances, it was the unanimous opinion of this Board, That it did not appear that these men had been Guilty of any piracy whereby to subject them to any punishment or other Legal process, but rather that they ought to be well used & Civilly Intreated for the Service they had Done in order to Encourage others to Do the Like, That the Present most Dangerous & too frequent Practice of Piracy in these parts may at Last be subdued.

Then the Governour said, that although he had seized the Sloop in his Majesties name, in Order to Bring the Vessell & whatsoever was on board to a Legal Tryal, Yet he Cou'd not but think himself Obliged to acquaint the Governmt. of Jamaica with this accident, & the Circumstances of it, whereby the ffirst adventurers being honest & Good men, might have an oppertunity to Lay such Claims to what had so lately been their Proper Effects, as in Justice or Equity the Law wou'd permit.

At a Council held at Philada., the 11th of August, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent, James Logan,
Isaac Norris, Robert Assheton.
Jonathan Dickinson,

The Governour putting the Board in mind, that at their Last meeting at which those persons, who had brought a Sloop into this Port, lately in Possession of the Pirates, were Examined. The Governr. had then assured the Board he wou'd take no steps in Relation to that affair without their knowledge & approbacon, thought now fit to Inform them that Capt. Hardy, whom at the Sloops ffirst arrival he

had Comissionated to take her under his Care, was now attending, with an Iaventory of what was found on board her, which is as follows:

10 Great Guns & Carriages,
2 Swivle Guns,
3 Pateraroes,
4 Chambers,
30 Musketts,
5 Blunderbusses,
5 Pistols,
6 Old Pateraroes,
4 Old Chambers,
20 Guns Tackles,
10 Breechins,
2 Guns, Worm & Ladle,
4 Spunges,
2 Crows,
10 Organ Barrels,
7 Cutlasses,
5 Great Gun Cartridge Boxes,
8 Cartridge Boxes for small arms,
58 hand Granadoes,
200 Great Shot,
2 Barrl. Powder,
4 Caggs of Patridge,
2 Powder Horns.

ACCOT. OF SAILS, RIGGING & STORES, &c.

1 Main sail,
1 ffore sail,
1 Jib,
2 fflying Jibbs,
1 Top Sail,
1 Sprit Sail,
1 Square Sail,
1 boat Main Sail & ffore Sail,
22 Spare Blocks,
1 main Sheet,
1 Topmast Stay,
1 ffore halliards,
1 Jib halliards & Down hall,
1 Topping Lift,
2 Grinding Stones,
24 Water Casks,
1 barl. of Tar & a peice,
30 barr. of Powder,
7 Dead Eyes,
1 Kittle,
2 Iron potts,
3 Anchors,
1 Cable,
1 old peice of Junk,
13 planks,
2 Top Sail Sheets,
1 Boom Tackle,
13 hbar. of Beef & pork,
2 Runners & Tackles,
a Small Quantity of tallow, & Tobacco,
3 Compasses,
1 Doctors Chest,
1 black fflagg,
1 Red fflagg,
2 Ensignes,
2 pendants,
1 Jack,
8 Sloppers,
1 fflying Jibb halliards,
1 Top Sail Halliards,
1 main Halliards,
1 main Down hall,
1 Jib Sheet, the other for Bow fast,
1 Flying Tack,
1 Fish Hook & Pendant,
2 pump Spears,
1 Broad Ax,
1 Wood Ax,
1 hand Saw,
1 pair of Canhooks,
1 hammer,
1 Augur,
1 plain,
Some Iron work & Lumber.

Whereupon the sd. Capt. Hardy being Called in, & the Governr. Comission to him being Read, he Exhibited the sd. Inventory of all the Arms, Tackle, apparell & Goods on board her, which upon his Oath administred by the Governour, he Declared was a true & Exact

one of all that he Could find, or was on board the sd. Sloop when she was first put into his hands, the Sailors Cloaths & Necessaries Excepted.

The Governour then spoke to the Board in these words, vizt.

GENTLEMEN:

The Great Losses that this Colony has already sustained beyond any of its Neighbors, by our Trade's being Blocked up & Infested with Pirates at the Capes of this River & Bay has Given me much uneasiness, & Racks my thoughts at this Present time which way to Contrive some Expedient for Relief.

I have not been wanting fully to Represent our Circumstances in this Case unto the Kings ministers at home. & also with the Greatest Civility I could, to Invite some of his majesties Ships of War appointed for the Neighbouring station to take some notice of us but still without any success, and in the mean time the World must see & Judge, that not only we of this Province, but also the Colonies in the West Indies, who in this season of Drowth among them Depended upon Bread & provision from us, & even the merchants of Great Britain themselves have been & are Daily more & more Likely to be Great Sufferers.

Upon an Informacon that one Teach, a noted Pirate, who has done the Greatest mischief of any to this Place, has been Lurking for some Days in & about this Town, I have Granted a Provincial warrant for his being apprehended, if possible to be found, & several other petty Informacons of Late gives me Cause to suspect that many of the pirates who have Lately Surrendred themselves, & obtained Certificates from this & the neighboring Governments, do still keep a Correspondence with their old Companions abroad. To prevent the Evil Consequences, whereof I am of Opinion it will be Convenient on the Sixth Day of the next month, When his Majesties Act of Grace to the Pirates doth Expire, to publish a Proclamation here, Certifying a fresh the Encourgements which his Majesty has been pleased, by his Royal Proclamation, to Offer to such as shall seize & apprehend any of the Pirates so as that they may be brought to Justice, & also the Rewards promised to such of themselves as shall bring in any of their Captains or Leaders, with a Clause Certifying also the penalties which the Law does Inflict upon such persons as shall presume to Lodge, harbour & Conceal any of these Robbers, whereby they will become accessary to their Crimes.

Those pirates who have abused his Majesties Royal mercy & Goodness to them, by returning to their former wicked practices, most Certainly Can have no Claim to any Compassion or favour whatsoever. But on the other hand, I must Look upon it as a Duty Incumbent on all the Kings Servants here to pursue his Majesties Royal Intention in protecting those who have humbly accepted the act of Grace, do Continue to behave themselves as peaceable & obedient subjects to the King & his Government, and as ffor those few

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men who lately brought in the Sloop Nathaniel & Charles,& Delivered her into my hands, it was upon Examinacon before the Board Esteem'd to be a Service of that nature, which not only Gave them a title to be protected but even Rewarded.

In Case of eny further alarm or Danger, I have Judged it necessary & proper to secure the arms & amunition Contained in the Inventory before you to be Imploy'd in the Defence of this Colony, and Do hereby therefore make myself accountable to the publick or to whomsoever shall hereafter Produce a Legal Demand upon me for the same.

But as to the Sloop, & what is Contained in the other part of the Inventory, they being of a Perishable nature, I Conceive it will be necessary to Direct that they be first appraised, & then sold at Publick Vendue to the highest Bidder, that the Produce may be forthcoming & Secured, either to the Crown in whose possession it already is, or to such as shall in any Reasonable time make Good their title, & recover their right by Judgment in Law.

It is my Desire that Whatsoever is thought fit to be ordered in this matter may be Done with your approbacon, whereby the Particulars will Remain upon the minutes of this Board to Justify the Candour & Equity of all the Proceeding, and in the mean time I shall Transmit a faithfull account of the whole, one Duplicate to the Secretary of State, & another to the Lords Comissioners for Executing the Office of Lord High admiral of Great Britain, in Order to Receive further direction from these powers herein.

It is Ordered hereupon, that the Proclamacon menconed by the Governour shou'd be prepared.

And as to the Disposal of the Sloop & her Effects, 'tis Judged necessary that the Provisions menconed in the Inventory being Lyable to Perish shou'd be disposed of by publick Vendue, but that it will be most advisable that all the other Stores, with the Sloop, Rigging, &c., be Laid up till such time as the Governour Can be Informed to whom the same of Right belongs, or untill Directions shall be Received from the Court, or from the admiralty, in what manner they are to be Disposed of.

At a Council held at Philada., the 3d October, 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent, James Logan,
Jonathan Dickinson, Robert Assheton.
Samuel preston,

The Governour acquainted the Board, that he had in his hands the Several Returns for Coroners & Sheriffs Elected this Present

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Year for the Respective Counties of this Province, so that if any Gentleman at this Board had any objections to Offer why the Persons ffirst Chosen & named in the sd. several Returns should not be Comissionated by the Governour as usual, they wou'd please now to speak to it for the Governours better direction in his Choice.

And no such objections being made at the board, the Governr. was pleased to order that Comissions be forthwith made out for the persons first Chosen & named in the sd. Respective Returns, Vizt.: Owen Roberts, to be Sherif of the City & County of Philadelphia, & Richard Walker, to be Coroner of the sd. City & County; Nicholas Fairlamb, to be Sherif of the County of Chester, & Jonas Sandelands, Coroner of the sd. County; John Hall, to be Sherif of the County of Bucks, & John Cutler, Coroner of the sd. County.

The Governour acquainted the Board that he had several matters of Importance to Lay before them, but wou'd Referr them to a fuller Council, and that he thought it Convenient that the Council shou'd meet once a week, which wou'd very much Tend to Dispatch of Business; Whereupon, Tuesday in Every week is appointed to be a Council Day, and it is Ordered, that William Pawlet wait upon the Governour every Munday night, to take his Directions for sumoning the Council.

At a Council held at Philada., the 15th October, 1718.

PRESENT:

The Honble. WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Samuel Preston,	Robert Assheton.

The Assembly waited upon the Governr. in order to Present their Speaker. and they Presented Jonathan Dickinson, whom the Govr. very well approved of, and then spoke to them as ffollows:

Mr. Speaker,

The modesty & Candor of your Deportment for many years in Publick Busieness has at this time, in the two most Eminent Stations, Justly determined the Choice, both of the City & County in General, & this flourishing City in particular upon you Sr.

And from this Good Beginning, I promise myself that by your Prudent Example & Conduct, they will at Last be perswaded heartily to Unite in all such matters as Plainly tend to the honor & advantage of this Province.

GENTLEMEN:

I know it is usual with you to adjourn for a short time at this season, so I shall not trouble you further now, but referr such matters as I have to lay before you, until you Can more Conveniently meet to set upon Busieness.

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Then The Speaker Desired the Governour wou'd Grant them the Priviledge, Vizt. : ffreedom of Speech, ffree access to the Governr., & a favorable Construction on all their proceedings, which the Governr. assured him of, then the Council adjourned.

At a Council held at Philadelphia, y^e^ 17th Octobr., 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Jasper Yeates,	Anthony Palmer,
Jonathan Dickinson,	Robert Assheton.
Samuel Preston,	

The Governour Laid before the Board a Representation or Greivance, signed by several of the Justices for the County of Chester, who desire that the Governr. & Council may Give some Redress therein.

The Governour Declared, that as to the first part of it Relating to a Certain Clause which had been Left out of the Last Comission of the Peace for that County, it had been done purely on account of bringing the stile of the Comissions as near as Possible to that of England, but if this Board wou'd advise the Governr. to Renew the Comission with such a Clause as he Desired, he wou'd readily Do it.

And as to the Second part of the Complaint the Governr. Cou'd not but say, that he thought the Attorney Generals being put in the Comission, by the advice & Consent of this Board, wou'd hardly bear the sence of being Inconsistant with Reason as was presumed & alledged, and that as the Governour was Ready to hear any Reasonable Complaints that Cou'd be made agt. the Attorney General, or any other Officer in the Governmt., & to Redress them, So he Could not think it either Just or Convenient to Discountenance Officers agt. whom he had yet Received no matter of Complaint, but on the contrary who had performed very Commendable Services towards the Publick; Nevertheless, the Governr. Desired the Opinion of the Board, to which he wou'd, as near as Possible cou'd be done, accommodate his Sentiments.

Upon which the Board Delivered their Opinion, that the Clause which had been Left out of the Last Comissions of the Peace for this Province, and Insisted upon by the Justices of Chester by their Complaint is an usual Clause, and ought to be Incerted in all the Comissions of the Peace for the Counties of Philada., Chester & Bucks, and that the Comissions be again Renewed with an addition of the sd. Clause.

The Board then taking the Second part of the sd. Complaint Relating to the Attorney General being in the Comission of the

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peace into Consideracon, The members unanimously agreed in opinion with the Governour, Tho' the manner of the sd. Justices of Chester, application & some Expressions Contained in their Remonstrance were not so Decent as became their Duty & Respect to Government in this Case; Yet to the End, that no part of the Country might have the Least pretence to Contradict, or in any way molest the Perfect unanimity & Good understanding that hitherto hath been so happily preserved through all the Parts of the Governrs. administracon; It was moved that the Attorney Genall., who in the Duty of his office had on all occasions acquited himself with a General applause, might, if the Governr. thought fit, be invested with a Peculiar Comission or power to Examine Witnesses & Bind over persons for Breach of the Peace, or in any Cases Capital, which wou'd as Effectually answer the End as if his name was Incerted in the Comon Comission of the peace for the sd. County.

The Secretary Exhibited an account of Disbursments, the ballance of which amounted to Seventeen pounds twelve Shilling & Ten pence half penny on the Last Treaty with the Deleware Indians, which account is allowed by the Board, & the Treasurer is Ordered to Pay the sd. Ballance.

The Governour Laid before the board several Disbursments on the Late Expedicon of Two Sloops to the Capes, in Pursuit of the Pirates, who were Comanded by Capt. Raymond & Capt. Naylor, which accounts amounted to about ninety pounds; It is the Opinion of the Board, that the sd. Expedicon will be of Service to the Government, and the Charges Incident ought to be Defray'd by the Publick.

The Governr. acquainted the board, that he had some time past Received a Peticon from several of the Inhabitants of the town of Bristol, in the County of Bucks, Requesting that for Regulating their Streets & Preserving the better Order among the Inhabitants, The sd. town might be Erected into a Borough by a Charter of Incorporacon, which Request being Considered of by the Board, It is their unanimous opinion that the sd. Town be Erected into a Burrough accordingly, and the persons Peticoning are Directed to apply to the Attorney General for suitable Draught for that Purpose.

At a Council Held at Philada., the third Day of November, 1718

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jasper Yeates,	Samuel Preston,
Richard Hill,	James Logan,
William Trent,	Anthony Palmer,
Isaac Norris,	Robert Assheton,
Jonathan Dickinson,	John ffrench.

The Governour having Just Received some Letters from Great Britain, spoke to the Council in these words.

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GENTLEMEN:

The Important Occasion of your meeting at this Time is, that I may Communicate unto you, in the most Decent & Respectfull manner, the accounts which I have Just Received of our Late Lord proprietor & Governr. in Chief, the Great Mr. Penns Death.

The Exalted merit & Reputation, whereby this Gentleman has been universally known & Distinguished for many Years, most Justly Restrains me from Presuming to touch so perfect a Peice as the General Character of that Great man.

But the Dutiful Regard to that Trust in my Present Station which I once Received from him, as well as the Respect which is Justly Due to so many of his ffaithfull servants Present, Obliges me in the midst of sorrow to Put you in mind of the Duty which we particuly Owe to the memory of a worthy & Good master. In short, as it was Mr. penns generous Regard to mankind, & his Sublime humanity that first fframed the Scheme, & then Laid the Solid ffoundation of this fflourishing Colony.

So it is to his Indefatigable Care & Great Capacity in all manner of Publick busieness, that We entirely Owe those Valuable Privileges which we now enjoy, & which the Good People of this Province may Justly Expect to be Regarded Especially by these Employ'd in the administracon of Governmt. under the Late proprietor.

At this time therefore Gentlemen, I hope you will think I am in my Duty when I recomend it to you, so to Proceed in every Part of the Publick service as that our Sovreign Lord King George, his Supream & Rightfull authority may in the ffirst Place be maintained Over all his Majesties Subjects within this Povince.

Secondly. That the Respect & Gratitude, which is so Justly Due to the Late worthy Proprietors ffamily, may on all occasions be dutifully acknowledged & paid.

And Lastly, that our Behaviour toward Each Other may be such as in the Event will Clearly Demonstrate that we are Loyal subjects, ffaithfull servants, & sincere ffriends. The Board Received the Governrs. affectionate Condolence upon the malancholy Occasion with Gratitude & Respect, And then the Act of Assembly Past in the Year 1712, and approved by the Late Queen, Entituled an Act for the ffurther Securing the administracon of the Governmt., was Called ffor & Read; and a motion being thereupon made, that for the Greater Satisfaction of the Inhabitants of this Province, a Proclamacon should be Issued, menconing the Proprietors Decease & Reciting the last Clause in the sd. act, Vizt.: "That in Case the sd. Governour in Chief shall happen to be removed by Death or Otherwise, then it shall & may be Lawfull for his Deputy or Lievtent., for the time being, to Exercise all the powers of Government as fully & amply as before, untill further order from her majesty, her heirs or successors, or the heirs of the sd. Proprietor & Governr. in Chief

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which shall first happen." And further, that all magistrates & officers be required to Discharge their Duty with the same Vigour & application as formerly they were obliged to Do; and the said motion being unanimously approved & agreed unto by the Board, the Governour Ordered such a proclamacon to be forthwith Prepared & Issued accordingly.

The Governour Laid before the Board a Letter which he had Received the Last Post from Brigadier General Hunter, Governour of New York & New Jersey, Inclosing the Copy of Certain Letters Patents from his majesty, and Brigadier Hunter having Published the sd. Letters Patents at New York, his Excellency Desired that the sd. Copy or tenor thereof might also be made Publick in this Province, after such manner as the Governour shall think Proper. The Board being of opinion, that the sd. Copy was not so authentick as might be requisite in order to a Due publication thereof, advised that the Governour should take the ffirst Oppertunity to write to Brigadier Hunter, in Order to obtain his Excellencys more particular Direction herein.

The Governour further acquainted the Board, that having fformerly appointed a meeting with Collo. Hart, Governr. of Maryland, in which he had then been Disappointed, he had, upon the sd. Collo. Harts Coming over the Bay, taken a Journey ffrom New Castle, accompanied with Collo. ffrench only; That after some very Considerable Debates on the Differences Raised between the Inhabitants of Both Provinces, they had at Length come to some amicable Conclusion, which is fully set forth in a minuit of it now Laid by the Governr. before the Board, and the same was Read in these words.

At a meeting between the Governours of Maryland & Pensilvania, held at Collo. Hynsons House, the 28th of Octobr., 1718.

PRESENT.

His Excelleney Collo. Hart,
The Honble William Keith, Esqr. } Governrs.

Collo. Thomas Smith, Collo. John French,
Collo. Nathll. Hynson, Major James Harrison.

His Excellency Collo. Hart produced several Complaints which had been made to him from the magistrates & others of Cecil County, in Maryland, Relating to the Settlement at Nottingham, and they Claiming the sd. settlement to be within the Jurisdiction of Maryland. It was observed that Governr. Keith, in his Last Comission of the Peace for the County of Chester, in Pensilvania, had appointed magistrates for the Townpp. of Nottingham, on supposition that the sd. Township was within the Jurisdiction of the sd. County of Chester; His Excellency therefore, in behalf of my Lord Baltimore, & in Defence of his Lordships Just Right, sets forth, That the sd. Township of Nottingham had frequently been taxed by the magistrates of Cecil County, that a Great part of the Inhabitants of Nottingham had

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peticoned him to take them under the Protection of my Lord Baltimores Government, and that as he was Realy Convinced, from seveveral Records & other proofs, that the situacon of Noftingham aforesaid was unquestionably within the Bounds of my Lords Grant from the Crown, he Cou'd ndt but Insist upon it, that Governour Keith wou'd be pleased to withdraw his sd. Comission for the Justices of the peace at Nottingham, and all other marks of the Jurisdicon of Pensilvania there.

Collo. French, who from his Long Residence in that neighbourhood, was perfectly well acquainted with the Settlement at Nottingham, said that about sixteen years ago the sd. settlement was, by proprietor penns order Survey'd & Laid out into Lotts, ffour of which he had Reserved for himself, & Granted most of the Rest to the Respective Settlers by Regular Warrants, which was the only pretence of Right Whereby they now hold them; That they had always from the Beginning of their Settlement sued & been sued as Inhabitants of the County of Chester, in Pennsilvania, and at untill the Great Dispute about the Division Line between my Lord Baltimore & Mr. Penn could be perfectly adjusted, he humbly Conceived there was Only one Rule to be Tacitly Observed in the mean time in order to Preserve the Publick peace & make all parties easie, Vizt.: That wheresoever Persons were found to be seated on or near the Boundaries in Question; if they held their Lands by any warrant or Right from my Lord Baltimore, they ought not to be molested or Disturb'd with any pretence of Jurisdiction from Pensilvania; and on the other hand, those who held their Lands by Rights, formerly Granted by Mr. Penn, shou'd Likewise be permitted to Remain under the Governmt. of Pensilvania until by a Proper authority the Division Line between the two Governments Can be Run.

Governr. Keith hereupon assured his Excellency, that this was the very Rule which he had hitherto Carefully observed, in Consequence whereof the settlement at New Munster, adjoining to Nottingham, whose Inhabitants mightily Desire to be protected by Pensilvania, and which Governour Keith has Great Reason to believe is Within the Bounds of Mr. Penns Grant; Yet because their Lands at Present were held by Rights ffrom Maryland, He would not Hearken to their Desires, nor Suffer any of his officers to molest them.

Governr. Keith further Observed, that to Proceed in this manner wou'd Effectually Preserve the Peace amongst his majesties subjects, & Cou'd not Possibly in any sort Prejudice the Just Right of Either Proprietor hereafter to be Determined; with Great Respect therefore to my Lord Baltimore, & a Just Esteem of his Excellencies Conduct & Diligent Care in the Government under his Direction, Mr. Keith humbly Requests that his Excellency will please to Concur with him in the Passive measures Proposed, untill either by powers or Directions from England, both his Excellency & Mr. Keith are sufficiently Enabled or advised to Proceed otherwise.

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His Excellency continued very much to Insist upon Mr. Keiths Recalling those Comissions at Nottingham. Governour Keith begg'd to be Excused from giving any other answer at the Time, untill he had an Opportunity to advise with the Council, So the matter was at Present Referr'd to the ffurther Consideracon of the Respective Governour, & the Councils of both Provinces.

The Governour hereupon Desired the Comissioners of Property to Notify to the Council what Lands about Nottingham were Granted by Warrants from this Province, that a further answer may be prepared & Got Ready against the time the Governour of Maryland shall apply for the same.

A Peticon to the Board from Abraham Delucena, of New York, was Read, setting forth that several Goods belonging to the sd. Abraham De Lucena was seized by the officers here for non entry, being Lyable to Pay Certain Duties Imposed by a Late Act of Assembly, & praying on account of his poverty & numerous family, that some Relief be given to the sd. Peticoner.

The matter was Referred to a further Examinacon of the Particulars, in Case the officer in the mean time do not find himself at Liberty to Ease the Peticoner by admitting a Post Entry of the sd. Goods.

At a Council held at Philada., the 21st Novr., 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Jonathan Dickinson, Anthony Palmer,
Samuel Preston, Robert Assheton.
James Logan,

The Governor acquainted the Board, that at the Last meeting of the Council he had laid before them a Copy of Certain Letters Patents from his majesty to Brigadier General Hunter, Governor of New York & New Jersey; That the sd. Collo. Hunter Desired the sd. Copy might be made publick in this Province; that the Board were then of Opinion, that the sd. Copy was not authentick as might be Requisite in Order to a Due Publicacon thereof; That he has since received an authentick Copy of the sd. Letters Certified under the Seal of New York, and was pleased to advise with the Council, whether it was not Convenient that the Proclamacon that the Governr. of New York had published there shou'd be published in this Province, to which the Council were unanimously of Opinion it shou'd, and the Proclamacon is Ordered to be published forthwith.

The Governour acquainted the Board, that he had some time Past

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a Debate with the Council Concerning the Stile of the Comissions of this Province, that he was then of Opinion they shou'd be in the Kings name, That now he thinks it highly Requisite they shou'd be so since the Proprietors Decease, That he Cannot think it safe to Issue Comissions in his own name, now orders the Comissions hereafter to be Issued to be in the name of the King; and then the Council adjourned.

At a Council at Philada., the 16th Decr., 1718.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

William Trent,	James Logan,
Samuel Preston,	Robert Assheton.

The house of Representatives of this Province Waited upon the Govrnour, and the Govrnr. made the following speech to them.

Mr. Speaker & Gentlemen of the Assembly:

The maloncholy news of the Proprietors Death wou'd have Obliged me to have called you Immediately together, had it not been the unanimous Opinion of the Council, that my Continuing the administration of the Government in all its Parts was not only warranted but also directed by an act of Assembly, which had Received the Royal sanction.

Nevertheless, when you have Considered that minute of the Council which I have Ordered to be now Laid before you, I shall Likewise be glad to have the Sentiments of your House upon that Resolution, wherein I think it will be Convenient that we all agree.

GENTLEMEN:

If it be granted as I think it must, That a Governour is a necessary agent, to be Continually Imploy'd in the providing for the Protection, Safety & Ease of all the People in the Government. It will then ffollow, That such a service in this Populous Place Cannot be duly performed without a Considerable Charge, & the whole Expense of Ones time even with Diligent applicacon.

And since you are the proper Judges how far I have done my duty in these Particulars, I take Leave to put you in mind, That the supplys which have been Granted by fformer assemblys for the Particular support of my ffamily are now actually Exhausted, and the time for which they were supposed to be given is Expired, ever since the month of October Last.

I shall Conclude with Recomending a Friendly Temper & unanimity to you in all your proceedings, and whatsoever Else occurs to me of Busieness shall be Communicated to you by way of message. Then the Council adjourned to the afternoon.

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POST MERIDIEM.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Lievt. Govr.

Richard Hill, James Logan,
William Trent, Robert Assheton.
Samuel Preston.

The Governr. acquainted the Board that he had received Two Letters, one from George Grant, and the other from seven men who were Comited upon Suspicon of Combining together to Comit Piracy, which were Read, and the Governr. was Pleased to ask the opinion of the board what measures shou'd be taken in order to bring the sd. persons to a Tryal, and the Board having Considered the Circumstances of their Crimes, were of Opinion that the Persons Crimes were Cognizable in the Mayors Court, & that they shou'd be prosecuted there, and that whilst they Continue in Prison some Provision shou'd be made by the Sherif for their maintenance, the weather being now very Cold.

Instructions to William Keith, Esqr., Lievt. Generall, Governr. and Comander in Chief of the Povince of Pensila., and Counties of New Castle, Kent and Sussex, upon Delaware.

You are upon Receiving these Instructions Immediately to Call together the Council, and with them in the most Publick manner make known my accession to the Governmt. of the sd. Povince and Counties, and assure the Country of my Great affection to them and hearty Good wishes for their welfare, and that I shall always Look upon their Interest as my own, and I believe on this Occasion itt will be pper to Read the Late King Charles the Seconds Leters. Patents to my late ffather and y^e^ pprietor, and his Heirs, publickly to the people; However, this I Leave wholly to yours and the Councills prudence To Do therein as may be thought most Convenient, and ffor the Honr. of y^e^ Government.

I think itt would be well Done if the present members of Council be Continued, For I would not have more alteracons made in Governmt. upon my accession theretoe then what are absolutely necessary, And I will have Mr. Logan be of the Council, & Continued in his places by you.

If you Can procure a militia to be settled by Law, Slip not the Occasion of Doing itt, but as that Country was Chiefely at first settled by Quakers, I would not have them oppressed on any account.

Protect the people under your Care in all the Rights, Privileges and Liberties my ffather Granted them by Charter or otherwise, or that they ought to Enjoy as Englishmen.

Observe the Law for Liberty of Conscience wch I take to be a Fundamentall One in Pensila., and was one Great Encouragement for the Quakers to Transport themselves thither, and to make itt

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what itt now is, For wch they meritt the ffavour of my Family, as well as on many other accounts, and shall always have itt when in my power; And this I desire you will Lett the people Know.

But as I Profess myself to be a member of the Church of England;

Therefore I recommend it to you to be Carefull of her Interest, and that you Encourage and Protect the Clergy, and Employ where you can Deserving memrs. of that Comunion, ffor I think they ought to have att Least an Equall share in the administracon of Public Offices with their Neighbours of other perswasions:

Discountenanee all antitrinitarians and Libertines.

Protect In their Possessions such strangers as are settled amongst us, For the public Ffaith is Concerned in itt.

Lett the Law be your guide in all Cases; and ptect the officers of the Customs in the Discharge of their Duty, and use y^e^ advice of y^e^ Councill In all Cases of Importance.

Given under my hand and Seal, the ffourteenth Day of Janry., Annoq Dom., 1718.

WM. PENN.

Att a Councill held at Philada., the 28th of Aprill, 1719:

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill,	Antho. Palmer,
Isaac Norris,	Robert Assheton,
Jonathan Dickinson,	James Logan, Secretary.
Samuel Preston,	

The Govr. Spoke as Follows.

GENTLEMEN:

I here Lay before you a New Comission and Body of Instrucons which I have Just Received From the Honble Mr. Penn, as our Govennour in Chiefe, whereby he is pleased to Constitute and appoint me his Lievt. Govr. Genll. and Comander In Chief over the Pvince and Territories; and itt being Directed by the Instruccons, that his accession to the Dominion of this Country be made Known to the people. With your advice and assistance, in the most publick manner I must Desire your opinions and Concurrence therein.

And as there are severall at this Board who are Likewise members of the psent assembly, and therefore Know that I am under a pmise to Call that body Together, upon my Receipt of any Orders ffrom Britain Relating to this pvince: I would also know your sentiments, whether the assembly ought not to be Imediately Called by

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Writts of Sumons, In order to Join with me and this Board in Recognizing Mr. Penns Right & Title to the Government. Then the sd. Comissons and Instrucons were ordered to be Read, and Every member psent having spoke to the subject matter before them, they were all of opinion, that In Order to secure the peace of the Colony, and to pserve the Perfect Good understanding wch had Hitherto most Happily subsisted between the Govr. and the people, it seemed necessary to Call the assembly upon this Occasion, and that since the ffirst Instruccon Directed the Govr. to publish his Comissn. In the most ample manner, by the Councills advice they Could not suggest or advise any method to Publish the same with more Respect to Mr. Penn, or Efficacy to His service than by the Govr. in Conjunccon with the Councill, and the peoples Representatives In assembly. And itt being Likewise Observed, that the three Lower Counties upon Delaware were Equally Effected with the pvince by this Change, and that Jasper Yeates and Collo. John ffrench, Esqr., Two members of this Board Residing there, ought to be sumon'd to attend at this Solemnity the Sixth Day of May, was moved as the shortest time Could be allowed for the Return of Writts to be Issued for Calling together the assembly, with a ffull Council; and the sd. Writts of Summons were ordered to be Issued fforthwith accordingly.

The Governours Speech to the Assembly, May the 7th, 1719.

Gentl. of the Council, Mr. Speaker, and Gentl. of the Assembly:

According to my pmise I have Called you together, In order to acquaint you that I have Lately Recd. a Comission From the Honble Wm. Penn, Esqr., as our Govr. In Chief, with Instruccons to publish his accession to this Governmt. by advice of the Council. In the most Solemn manner wch sd. Comissn. and Instruccons, with the minute of Council thereupon, I have ordered to be Laid before you.

Since that I have seen the pobate of the late Proprietors Last will and Testament, In the Hands of Mr. Secretary Logan, whereby the powers of Governmt. over This Province seem to be Devised in Trust after a Peculiar manner, and I am told these Diffrences are not Likely to be speedily adjusted.

Gentlemen:

My Duty to the Crown unquestionably obliges me, while in this stacon, at all times to use my utmost Deligance In preserving the good order and peace of the Governmt., and to keep the Kings subjects of this Colony ffirm In their alleigance & Dutifull obedience to his most Excellent Majesty & our Sovreign Lord King George.

To the End therefore that this may be Done with greatest Cheerfulness and unanimity, and Likewise that all Due Respect may be pd to Mr. Penn and E'ery other Branch of the Late Proprietors Family, I must Desire that you will assist me with your opinions and advice, wch I doubt not will have the Same weight with all the pties Concerned In Brittain, as you may be assured itt shall Ever have with me.

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I have Recd. a Letter ffrom the Indians Chiefs att Conestogoe by a Letter to Mr. Secretary Logan, wch Informs us, that our Indian Hunters have been attacked near the Head of Potowmack River, by a Considerable body of Southern Indians Come out to warr against the ffive Nacons, and the Indian Settlements on Susquehanna.

They have killed Severall of our People, and alarmed them all, so that the Carefull attencon and Vigilance of the Governmt. was never more called upon then att this Juncture, and much will Depend upon your unanimous & Steady Resolucons to support the administracon in all its parts.

The Address of the assembly of the province of Pennsilvania, The Ninth Day of May, Annoq Dom., 1719.

To The Honble Willm. Keith, Esqr., Governr. of the same pvince, In answer to his speech of the Seventh Instant.

May it please the Governr.:

The memory of the Honourable Wm. Penn, our Late pprietary & Governr. In Chief being Dear to us, We Cannot but have a just and Due Regard to his ffamily, and should account itt our Happiness to be Governed by a Branch thereof, under the most auspicious Reign of our Royall Sovreign King George.

And since the Governr. has been pleased to shew so great a Regard to the advice of the Representative Boody of the ffreemen of this Province, as to Consult them in a matter which so highly Concerns them, We must acknowledge it as a great Condesencon, and an addiconal Instance of his Known affeccon to this Colony, with Kind Inclinacons to pserve the Publick peace and Weal of this Governmt.

The Contents of those Instruments and Writings wch the Govr. was pleas'd To Lay before this House, Brought us under a Very Deep Concern How to assist Him with advice suitable to the present Emergency, For We find the first part of y^e^ pprietors Will Seems to Vest a Trust in the Noble Lords there named, in order to accomplish the Treaty of a surrender of this Government to the Crown, wch was begun by our Late Proprietary.

And though that Trust may occasion Various opinions in Law and Equity, Yett that Does not so much Effect us at psent, as the want of ascertaining the Terms wch we have been alwayes Given to Expect would accompany the Surrender In ffavour of the People Called Quakers, who Embarked with the sd. pprietary In the Laudable Design of this Considerable addicon to the Public Empire.

And therefore think itt our Duty at this Juncture to Claim those Rights & ffavours wch have been pmised to us.

The Governr. well knows, that the administracon of this Government since the pprietarys Decease is supported by a Law Confirmed by her late majesty Queen Ann, and by Virtue thereof, Is so to Continue till further order ffrom the King or the Heirs of the sd. Late Proprietary and Governour.

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And notwithstanding the Great Regard the Govr. has to the Comissn. sent him by the sd. pprietarys Heir att Law, Yett since that Heir seems not by the afd. will Iovested with the power of Governmt., but the Devise thereof made to the sd. Lords, being allowed by his own Council to be Good; And since itt Does not appear that Comisso. is attended with the necessary Requisites Directed by acts of Parliament for Qualificacon of Persons Concerned In such stacons & security of Plantacon Trade; We Conceive it will Contribute to the peace of this Governmt., and be safe for the Govt. that he for the present forbear to publish the sd. Comisson., and hope there will no Just Occasion of Offence be Given if the Govr. should wave the superseding the powers Given him by the sd. Law untill he Recives the pleasure of the sd. Trustees, or has the Lord Chancellore Decree for his Direccon; The Rather because we understand that an amicable Suit is Depending In Chancery between the Executrix and Heir at Law, In order to settle Both their Claims to this Governmt.

We Heartily Join with the Governour In his Good Resolucons to pserve the Good order and peace of y^e^ Governmt. and Loyalty of his majtes. subjects In this Colony.

As Touching the attack Lately made upon our Neighboring Indians, we hope the Govr. hath already Taken pper measures In that affair Towards quieting their minds, and will use his utmost Endeavor to Prevent such Incurcon upon them ffor the ffuture by Due Representacons to the neighboring Governmt., and Perswasions to our Indians not to give ffurther Provocacons. But that they will ffall In with more Peaceable Inclinacons, as the same will Contribute to their Ease and Safety, and obtain the Friendship and proteccon of this Governmt., and this House Gives the Govr. assurance that the necessary Charges thereof shall be pvided For, and y^t^ 'tis there full purpose to support the administracon to the Best of their Power.

Signed by Order of the House,
JONATA. DICKINSON, Speaker.

At a Council held at Philada., the 11th day of May, 1719.

PRESENT:

The Honble WILLIAM KEITH, Esqr., Governour.

Richard Hill,	Samll. Preston,
Jasper Yeates,	Antho. Palmer,
Wm. Trent,	Robt. Assheton,
Isaac Norris,	John ffrench,
Jona. Dickinson,	James Logan, Secretary.

The Govr. acquainted the Board, that on Saturday last he had Recd. In Council an address to the Assembly, in answer to what he had Laid Before that House.

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That the Board being there, but then it was adjudged Convenient to Defer the Consideracon of that address till a full one Could be Convened. That all the members of Council being now psent. the Govr. Refers the sd. address to their Consideracon, and Craves their advice Thereupon.

The address being again Read and Considered Each member seperately Delivered his Sentiments, and it is the Opinion of a majority above two to one, That seeing the Govr. upon his first Receipt of the Comissn., had by the unanimous advice of this Board Called the Assembly, In hopes as itt was then Expected that the sd. Commisson would with their Concurrence be more advantageously Published, and more effectually to Mr. Penns service, altho' it now appears that by means of other Letters or accounts since Rec'd by Capt. Annis, The assembly have fallen Into sentiments Different from what had been Expected; Yett should the Governour, through his zeal for Mr. Penns Service, pceed Immediately to Publish that Comisson. In Direct Opposicon to the advice of the assembly, It would be attended with Consequences much more Injurious to the Interest of Mr. Penn, by Raising the Divisions in the Countrey, from whence Disadvantageous Representacons to the Court & Ministry att this Criticall Juncture might be made, than anything that Could Possibly ffollow From some small Delay; 'Tis therefore the advice of the sd. majority, that the Governour would be pleased to Delay the Publicacon of the sd. Comission, till such time as he shall Receive further Directions ffrom the Heir to proceed therein.

At a Council held at Philadelphia, July the 8th, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Robert Assheton,
Jonathan Dickinson, James Logan, Secretary.

The Governour acquainted the Board, that having received certain Advices from Brigadier Hunter, Governour of the Provinces of New York & New Jersey, that He designed speedily to embark for Brittain, therefore considering tho near Relation this Governmen has to that of New York & New Jersey upon the account of our Neighbourhood, and the affairs depending to be yet settled between these northern Colonies in Relation to the Indians, the Governour judged it convenient that He should at this time take a Journey to New York, not only to pay Governour Hunter a visit of Respect at his Departure, but also to settle some Foundation for a Correspondence with those who were to succeed in the powers of Government in case of any future Emergency, and for these Reasons, if the Board had nothing to object, He designed very speedily to set out expecting that his Absence from the Government would not be long.

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The Board approved of the Governours Proposal, wished him a good Journey & safe Return, and then adjourned.

At a Council held At Philadelphia, October the 3d, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

William Trent, James Logan, Secretary.
Jonathan Dickinson,

The Governour having Received from the Several Coroners and Sheriffs of the respective Counties of this Province, Returns of the Elections of psons to be presented to the Governour for his Choice of a Sheriff and Coroner for each County respectively, was pleased to desire the Advice of the members present in his Nomination, which is as follows:

For Philadelphia City & County: Owen Roberts & David Evans being chosen for the office of Sheriff, Owen Roberts is appointed; And Richard Walker & Edward Church for that of Coroner, Richard Walker is appointed.

For Chester: Nicholas Fairlamb & Robert Barber being returned for the office of Sheriff, Nicholas Fairlamb is appointed; And Jonas Sandiland and John Wade for that of Coroner, the first is nominated.

For Bucks: James Moon & Abraham de Normandie being returned for the office of Sheriff, Abraham de Normandie is appointed; And John Cutler & Abel Janney for that of Coroner, the first is named.

And accordingly, Commissions are ordered to the said persons for their respective Offices, the Sheriffs giving Security in the Rolls office as the Law directs.

At a Council held at Philadelphia, October the 15th, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

James Logan, Robert Assheton.

The Representatives of the ffreemen of this Province elected on the first instant, having met yesterday in Assembly, in pursuance of their Charter and Law in that case provided, were ordered this morning to attend the Governour, and now presenting themselves

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accordingly, William Trent, Esq., addressing himself to the Governour in the Name and Behalf of the Assembly, acquainted him, That the House of Representatives had been pleased to make Choice of him from amongst divers others who were more worthy of that Honor, to be their Speaker; and therefore in their Behalf, He was now to request the Governours Approbation. The Governour answered, that as the House had undoubtedly a Due Regard to the Interest of the Countrey in the Choice they had made, So He heartily approved their Nomination of a Person who is so particularly agreeable to him.

Then the Governour spoke to them in these words.

Mr. Speaker & Gentlemen of the Assembly:

I must reflect on every occasion which I have had to meet the Assemblies of this Province with great satisfaction, and the present oppertunity cannot possibly leave a less agreeable Remembrance, since I have the Pleasure to present you with the Royal Assent to, and perpetual Confirmation of a Law which gives you the full Enjoyment of English Liberties, and therefore must doubtless be for ever valued by yourselves and your Posterity as an inestimable Freedom and Birth Right. I mean the act which I passed in May, 1718, for the Advancement of Justice and more certain Administration thereof.

This Success has been chieffly owing to the perfect Harmony and good correspondence that has hitherto subsisted between me and the Representatives of the People, A Circumstance which secures our Peace, and puts us above the Reach of Faction; ffor, so long as your Friends in this Government continue be mine my Enemies must unavoidably expect to be treated as yours, And while so guarded what have we to fear.

GENTLEMEN:

Knowing that it is not an usual season of the year for a long Session, I would not overcharge you with Business; Only I must in one point take Leave to recommend to you the Imitation of an English House of Commons, by voting at first the sums which you shall judge necessary to support the charge of Government for the current year, and then with conveniency proceeding to the ways & means for raising that supply. This method not only gives Life and Credit to the Administration, but will be of great use to me, both in the management of the publick and my own private Affairs, which equally depend upon your Conduct and Good Will.

The Speaker receiving a Copy of the Speech addressed himself to the Governour, and in the name of the House desired, That the Governour would grant the members of the Assembly free access to his person, when sent to him by the House.

That he would protect them in all their Privileges as an Assembly; And that he would be pleased to put the most favorable Construcon on all their proceedings; All which being promised by the

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Governour on his part, They with drew The Royal Assent to the Act mentioned in the Governours Speech, is in these words following:

Locus Sigill privat Concil.

At the Council Chambers, Whitehall, the 26th of May, 1719.

PRESENT:

Their Excellencys the Lords Justices.

Arch Bp. of Canterbury,	Earl of Berkley,
Lord Chancellor,	Mr. Secretary Craggs,
Lord President,	Duke of Manchester,
Lord Privy Seal,	Earl of Westmoreland,
Lord Steward,	Earl of Ilay,
Lord Chamberlain,	Bishop of London,
Duke of Marlbro,	Mr. Chancellor of the Dutchy,
Duke of Roxburg,	General Wills,
Earl of Sunderland,	Earl of Halyfax.

Upon reading this Day at the Board a Representation from the Lords Commissioners of Trade and Plantations, dated the 1st of this instant, setting forth their having had under Consideration, an Act passed at An Assembly in Pensilvania, held in May, 1718, intituled an, "An Act for the Advancement of Justice and more certain Administration thereof," And the said Commissioners having taken the Opinion of Council learned in the Law touching the same, do humbly present the said Act as proper to be confirmed. Their Excellencys the Lords Justices in Council, taking the same into Consideration, are pleased, pursuant to the Powers reserved to his Majesty, in the Charter of Propriety granted to William Penn, Esqr., to declare their Approbation of the said Act; And according to their Excellencys Pleasure thereupon exprest, the said Act is hereby confirmed, finally enacted and ratified, whereof the Deputy Governour, Council and Assembly of the said Province, and all others whom it may concern, are to take Notice and govern themselves accordingly.

ROBERT HALES.

At a Council held at Philadelphia, November the 7th, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Jasper Yeates,	Robert Assheton,
Richard Hill,	Colonel John French,
Isaac Norris,	James Logan, Secretary.
Samuel Preston,	

The Governour spoke as follows.

GENTLEMEN:

Having at this time some Orders from the Crown, and several

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other matters of Importance to lay before this Board, I am sorry to find myself under the ungrateful Necessity first to acquaint you, that this Board, as well as myself, have been so treacherously dealt with by a certain member of the Council, that I must be of Opinion, neither the Interest of the Crown nor the Proprietary Rights can be prudently and effectually pursued while such Persons are admitted into our Councils; And that every one present may fully perceive both the Justice and Impartiality of this Charge, I have here drawn up in Writting some particulars, which if the Gentlemen thinks fit to deny, I am nevertheless confident they will be fairly proved against him. However that we may proceed regularly, and with all the moderation possible in such a Case, after the Accusation is read to you, and a Copy of it delivered to the Party, I am only to desire that He may be obliged to withdraw from attending the Council as a member of this Board, untill by his Answer and a fair Hearing thereupon, He shall have Justified himself as to the Points wherewith he now stands charged.

Gentlemen:

If my easie Temper was not so generally known as I believe it is, yet the continued Acts of Favour wherewith I have distinguished that Gentleman and his whole Family, ever since my Arrival here unto this day will, I hope, sufficiently convince even himself as well as others, that nothing less than my positive and indispensible Duty to the Crown, Joined to a faithful Discharge of that Trust which I hold with regard to the Proprietary could have extorted any thing of this Nature from me.

Then was read by the Clerk a Paper delivered to him by the Governour in the following words.

An Impeachment or Charge delivered by the Governour to the Council, against Robert Assheton, Esqr., a member of that Board.

1. That in several Cases of great Importance to the Peace of this Colony, where matters relating yr unto have been debated fully and freely in Council, the said Robert Assheton, contrary to his oath as a member of that Board, has frequently divulged and retailed the Debates and opinions there had and delivered, and by vain Attempts of that kind to colour his own particular Sentiments in Opposition to what has been resolved upon by a majority of the Council, has endeavoured to create Jealousies and misunderstandings in the minds of many of the good People of this Province, against the Just Powers and legal Administration of the Government.

2. That the said Robert Assheton being filled with unprovoked and most unjustifiable malice, did, by his Letters dated the latter End of August or the Beginning of September last, directed to his Excellency Wm. Penn, Esqr., and also by his Speeches delivered to the Bearer of those Letters, most falsely accuse and basely traduce the Governour and the majority of this Board. And the said Robert Asshetons Expressions upon that Occasion were these, or to this Effect, Viz: "That He (the Bearer) must particularly acquaint Mr. Penn who were his Friends and who not; That surely he knew

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Governour Keith had not only refused to publish Mr. Penns Commission, but even had slighted it; That Governour Keiths Design was to out Mr. Penn and get the Government to himself, But that He (the said Assheton) was Mr. Penns stiff Friend, and had stickl'd for him tho' to no Effect hitherto, because he had only one member of the Council to Join him; That tho' the Bearer was a Stranger to Mr. Penn, yet being heartily recommended to his Favour by these Letters, He might freely take an oppertunity over a Bottle to assure Mr. Penn that these things were unquestionably true."

Mr. Assheton pleaded his Innocency to the whole Charge, and having obtained time to prepare a particular Answer to every article thereof, and a Copy of the Charge being also delivered to him, He by the Governours order withdrew from the Board.

The Governour laid before the Board a Letter from Mr. Delafaye, Secretary to their Excellencys the Lords Justices Regents of Great Britain, &c., dated the 30th of July, 1719, with a Report from the Right Honourable the Lords Commissioners of Trade & Plantacons to the said Lord Justices, dated the 21st of July, 1719, both which were read and ordered to be entered on the minutes of this Board, being in these words.

Whitehall, 30th July, 1719.

Sir,

Upon my reading to the Lords Justices your Letters to Mr. Secretary Craggs, giving an account of your having received a Commission from the son of the late Mr. Penn, and of your proceedings thereupon, their Excellencys were pleased to refer the same to the Consideration of the Commissioners for Trade & Plantations, whose Report I laid this morning before their Excellencys; which Report being approved of, I send you a Copy of it, and I am to signify to you their Excellencys Approbation of what you have done, and their Directions that you do as is proposed in the said Report, continue to act as Governour of Pensilvania under your former appointment, till the Proprietors and the Trustees shall have settled the Differences between them, or until further Signification of his Majestys or their Excellencys Pleasure.

I am, Sir, your most obedient humble servant,

CH. DELAFAYE.

Addressed to Wm. Keith, Esqr., Governour of Pensilvania.

To their Excellencys the Lords Justices.

(Copy.)

May it please your Excellencys:

In obedience to your Excellencys Commands, signified to us by Mr. Delafayes Letter of the 4th instant, We have considered what Mr. Keith, Deputy Governour of Pensilvania, writes concerning the late Mr. Penn's son, who pretends to assume the Powers of Govermt. in that Province, together with the proceedings of the Council

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and the Address of the Assembly there, on Occasion of a new Commission sent by Mr. Penn to Mr. Keith for the Government of the said Province; whereupon, We humbly represent to your Excellencys, That in our opinion Mr. Keith has done very well in declining to act under this new Commn. for the Reasons mentioned in the Papers referred to us, and likewise for another much stronger, which is, that by virtue of the Act of Parliament, passed in the 7th & 8th years of the Reign of his late majesty King William, entituled An Act for preventing Frauds and regulating Abuses in the Plantation Trade; all Governours nominated and appointed by any Proprietors, who shall be entituled to make such nomination, are to be allowed and approved of by his Majesty, his heirs and Successors; And tho' his Majesty has been pleased to approve the Nomination of the said Mr. Keith to the Government of that Province, by the late Mr. Penn. We Conceive the Commission now granted by Mr. Penn, the son, is a new nomination, and ought to have been laid before his Maty. for his royal Pleasure, and the said Governours Security renew'd for observing the several Acts of Trade as usual in the like Cases.

We think it our Duty upon this occasion to acquaint your Excellencys, that We have been informed there was formerly an Agreement made between her late Majesty and Mr. Penn for this Province, and that Mr. Penn did receive part of the money in pursuance of the said agreement. We are not able to Judge how far it may suit with the present Condition of his majestys Affairs to complete this agreement, but we cannot help thinking, that all Occasions should be laid Hold on to recover at least the Dominion of all the Proprietary Colonies into the hands of the Crown; And in the mean time, As Mr. Keith has behaved himself very well there, He may be continued under his former Commission, till the present Proprietor and the Trustees shall have settled the Differences that are between them.

Which is most humbly submitted.

J. CHETWYND,
CHARLES COOK,
T. PELHAM,
MARTIN BLADEN.

Whitehall,
July 21, 1719.

Hereupon every member of the Board Spoke, and did with great Deference and Regard express their obedience to, and entire satisfaction with the orders and directions which their Excys. the Lords Justices had in their great Wisdom been pleased to signify to the Governour in the above Letter; Whereby They humbly conceived that all the Powers of Government which had been formerly at any time granted unto, or held by the Governour were unquestionably confirmed unto him, and that without the least Incroachment upon or Prejudice unto the Proprietary Rights granted by the royal Charter

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And whereas it may very much conduce to the satisfaction of his Majestys subjects in this Colony, and the general Peace and Tranquility of the Government, that a Proclamation be forthwith issued, publishing the aforesaid orders of their Excellencys the Lords Justices, wherein it may also be proper to take notice of the Provision made by one Act of Assembly of this Province, made at Philadelphia in the 11th & 12th year of her late Majestys Reign, entituled An Act for the further securing the Administration of the Government, and by one other Act of the Assembly for the Counties of New Castle, Kent and Sussex upon Delaware, passed at New Castle in the 4th year of his present Majestys Reign, entituled An Act for the better Security of the People and Government of the Counties of New Castle, Kent & Sussex, in case of the Demise of the Proprietor for the time being, by which two several Acts, it is among other things enacted and provided; That in case the Governour in Chief of the said Province and Counties respectively shall happen to be removed by Death or otherwise, Then it shall and may be lawful for his Deputy or Lieutenant for the time being, to exercise all the Powers of Government as fully and amply as before, till further orders from the Crown or the Heirs of the Proprietary and Governour in Chief, which shall first happen; It is therefore ordered, that Proclamation of this kind be prepared by the Secretary, to be laid before the Board at next meeting of Council. And then the Council adjourned.

At a Council held at Philadelphia, November the 9th, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Jasper Yeates,	Anthony Palmer,
Richard Hill,	Jonathan Dickinson,
Isaac Norris,	Colonel John ffrench,
Samuel Preston,	James Logan, Secretary.

Present also, David Lloyd, Esqr., Chief Justice, at the Governours Desire.

The Proclamacon ordered to be prepared at last Council was read, and with some amendmts. ordered to be engrossed, sealed, published and printed.

The Governour laid before the Board an order of the Privy Council of Great Brittain, for repealing divers laws of this Province, which is as follows.

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Locus Sigill privat Concil.

At the Council Chamber, Whitehall, the 21st of July, 1719.

PRESENT:

Their Excellencys the Lord Justices.

Arch Bp. of Canterbury,
Lord Chancellor,
Lord President,
Earl of Sunderland,
Earl of Ilay,
Lord Privy Seal,
Lord Steward,
Duke of Roxburg,
Mr. Secretary Craggs,
Mr. Chancellor of the Dutchy,
General Wills.

Upon reading this day at the Board a Representation from the Lords Commissioners of Trade and Plantations, dated the 8th of this instant, setting forth, their having had under Consideration several Acts passed in Pensilvania, entituled as follows, Viz:

Passed between 14th Octr. 1712, & 27 Mar. 1713. } An Act for amending divers Laws herein mentioned.

Passed between 14th Octr. 1714, & 28th May, 1715. } An Act of Privileges to a ffreeman. An Act for impowering religious Societys to buy, hold and enjoy lands, tenements, &c.

" An Act for establishing the Courts of Quarter Sessions in the Province.

" An Act for establishing the Several Courts of Common Pleas in this Province.

" An Act for erecting a Supreme or Provincial Court of Law and " Equity in this province.

" An Act for coroborating the circular Line between the Coun- " ties of Chester & New Castle.

" An Act for the Ease of such as Conscientiously scruple to take " the Solemn Affirmation formerly allowed in Great Brittain.

" An Act for the better ascertaining the Practice of the Courts of " Judicature in this Province.

" An Act for laying a Duty on Wine, Rum, Brandy & Spirits, Cyder and Hopps, imported.

An Act for laying a Duty on Negroes imported into this province.

And the said Lords Commissioners having the Opinion of Mr. West, one of his majestys Council learned in the Law upon the the same, do humbly present the said Acts as proper to be repealed. Their Excellencys the Lords Justices in Council taking the same into Consideration, are pleased, pursuant to the Powers reserved to his majesty in the Charter of Propriety granted to William Penn, Esqr., to declare their Disallowance of the said Acts; And according to their Excellencys Pleasure thereupon expressed, the said acts are hereby repealed and declared Void and of non effect. Whereof, the Deputy Governour, Council and Assembly of the said Province, and all others

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whom it may concern, are to take notice and govern themselves accordingly.

JAMES VERNON.

And Whereas the several Acts for constituting the Courts of Quarter Sessions, Courts of Common Pleas and Supreme or Provincial Courts, are by the aforesaid Order repealed, by which means, all the said Courts do fall; the Governour therefore proposes to the Board, to consider of the best method to prevent the Inconveniencies, that by a Discontinuance of the Courts and depending Process may ensue to the Country, Which being fully Considered and debated, it was the opinion of the Board, That the Governour should issue new Commissions to the Justices of the several Counties of the Province, authorizing & requiring them to hold Courts of Common Pleas on the same Days on which they should have held them by the Law lately repealed, and to take Cognizance of all the Causes depending in the last Courts; as also Commissions to the said Justices to hold Courts of Quarter Sessions, on the Days upon which they should respectively have been held by the repealed Law, proceeding therein according to the Course of the Common Law and the Law of this Province.

The Governour laid before the Board a Petition from one John Fraser, in the following words:

To the Honourable Wm. Keith, Esqr., Governour of the Province of Pensilvania, and the Counties of New Castle, Kent & Sussex, on Delaware, the Petition of John Fraser, late of London, mercht., humbly sheweth: That in the month of January, in the year of our Lord, 1716, being then in London, in Great Brittain, Nathl. Stallard, late of London, mercht., and Charles Pinkethman, late of London, mariner, being owner of a certain Sloop called the Nathaniel & Charles, did constitute and appoint the said John Fraser, Super Cargo of the said Sloop, in a Voyage intended to be made to several places in America, and accordingly your Petitioner came on Board the said Sloop, and in her voyage expended divers Sums of money of his own for the ffitting & equiping the said Sloop, with Provisions, Arms & Ammunitions necessary for her said Voyage; and your Petr. further Sheweth, that after the Departure of the said Sloop from the Island of Jamaica, the aforesaid Charles Pinkethman, Comander of the said Sloop died, and some of the Sloops company laying hold on that occasion mutinied against Wm. Tempest, who succeeded in the Command of the said Sloop and put him on shore, and afterwards went a pyrating in the said Sloop, and the said Pyrats differing amongst themselves, some of the mariners, in the absence of their Companions who were gone on Board a vessel which they had then taken belonging to the Subjects of the King of Great Britain, set sail and arrived in this port of Philadelphia, in the month of July, where they delivered themselves in the year of our Lord, 1718, with the said Sloop, her Tackle, Ammunition, Arms & ffurniture, to your Honr. And your Petr., in the month of November, in the year aforesaid, being then in the Island of Jamaica

aforesaid, and having Notice of the said Sloops being in this port of Philadelphia, did forthwith put in his claim to the said Sloop, with her appurtenances. And your Petr. being now arrived in this Province, and having viewed the said Sloop with what belongs to her, and finding the same of but very small value, He Humbly prays your Honr. will be pleased, as soon as with Conveniency it may be done, to order the same to be delivered to him as Super Cargo afsd., for the use of the said Nathl. Stallard, as surviving owner of the said Sloop. And your Petr. shall always pray for your Health and prosperity.

JOHN FRASER.

And it appearing that the said John Frasers claim was made in due time by his letter to the Governour, dated from Jamaica——as well as by his orders to his Correspondt., George ffitzwater, mercht, of this City, who had waited upon the Governour in that behalf; the Board were of opinion, that the Governour might order the said Sloop and ffurniture to be delivered according to the prayer of the said Petition.

The Governour further acquainted the Board, that he had just now received a paper signed by Robt. Assheton, which he supposed the said Assheton intended as an Answer the particulars wherewt. the Govr. had charged him at the last Council; And the same being read, it did not give that satisfaction which in this Case might reasonably have been expected; Wherefore, it was moved, that if the said Robert Assheton thought fit to insist further upon his Justification before this Board, some time must be given to summon and bring in the Evidences, and then a Day might be appointed in order to give the said Robert Assheton a ffurther Hearing, unto which the Governour readily Condescended.

Colonel French having been sent, by advice of this Board, to Conestogoe, in the month of June last, to treat with the Indians, and having at his Return reported the Effect of his Journey and Treaty to the Governour, but not to the Council, at which he has not been present since that time till the 7th instant, it is Judged convenient that the said Report should be now made to the Board, which is made accordingly in these words.

On the 28th Day of June, 1719, Colonel ffrench Spoke to the Indians, at Conestogoe, as follows.

Friends & Brethren:

By the Seal to this Paper affixed, and by my old acquaintance & ffreindship with you, you will believe that I am a true man, and sent from your good ffriend and Brother, the Governour of Pensilvania, to let you know that he is well pleased and satisfied with the Letter He recv'd, by the care of our good ffriend John Cartledge, in the Beginning of this month, signed in behalf of you four Nations here met, in which Letter you declare severally your Intentions of Keeping his Words, and if any amongst you have done amiss, and departed from what was right and Good in keeping your Promises, to

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observe strictly Peace with all the Indians in friendship and League with the English, you have therein acknowledged your Errors and mistakes, and engaged to offend no more in that Nature or Case.

The Governor takes these assurances of your Good Behaviour very kindly, and now He & his Council have sent me on purpose to visit you that I might further treat with you, and receive from you in the same manner, and as fully as if He and his Council (of which I am one) were all here, and present with you a Renewal of these good Promises and Engagements which you, so well begun with our good friend John Cartledge, and that I might more fully and largely give him an account of your affairs and how matters go with you. I must therefore acquaint you from my Governour, that as you in your Treaty call yourselves his Children, He will always treat yon as his sons, and that He has, eversince your Good friend Wm. Penn, (who is now dead) sent him amongst you endeavored by all means to keep you in Peace, and given you other Tokens of his Friendship that you might flourish and increase, that your old men might see their Children Grow up to their Comfort and Pleasure, and that the young men might bury their old Parents when they die, which is much better than to see your old People mourn for their young sons, who rashly and without Cause go to War and are killed in the prime of their years; And He now hopes that you are all fully convinced that Peace is better than War, which destroys you and will bring you to nothing; Your strong young People being first killed, the old Women and Children are left defenceless, who soon will become a Prey. And so all the Nation perishes without leaving a name to Posterity.

This is a plain mark that He and We are your true Friends, for if we were not then We should encourage you to destroy one another. For Friends save People from Ruin and Destruction, but Enemies destroy them, And this will serve as a mark to know all People by who are your Enemys, either amongst you or elsewhere, if they want, or study to throw Strife and Dissention amongst you. These are a base and bad People, and ought to be rooted out from amongst you; for Love and Friendship makes People multiply, but malice and strife ruins and destroys. Such should therefore be shut out, both from you and us, as disturbers of our Peace and Friendship which hath always continued.

I am also to acquaint you, that when you have in a grave and Solemn manner renewed your last Treaty with me, on which message I now come, that our Governour will write to all the Governours of the English, that the Indians within his Goverment are resolved to live peaceably and quietly, and for that Reason that they should give notice to all their Indians thereof, and that all the Friends to the English should be accounted as one People, and the Governour desires you will let him know of what Nation these Indians were who gave you the late Disturbance, that they may especially be ordered to do so no more.

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I am also to acquaint you that 'tis the Governours Pleasure, that if any of the five Nations come amongst you to trade or hunt, that you receive them as Friends and Brothers; but if they come amongst you either to perswade you to go to War or to go themselves, or in their return from it, that then you have nothing to do with them nor entertain them; for he expects that none of his Friends will know any People but such as are peaceable, lest they bring you into a snare and you suffer hurt for their Faults.

The Governour expects and requires, that if any Prisoners by any means whatever fall into any of your hands that He be quickly acquainted with it, and that no person offer or take upon him to kill any Stranger Prisoner for it will not be suffered here. He has been much displeased at what happened, and was done by some amongst you last year in these parts, but it is now again a Friend upon their Promise and Engagement to do so no more, and will take no more Notice of it if they observe and fulfill their Words. It is indeed a shameful and a base thing to treat a Creature of their own Shape and kind worse and more barbarously than they would a Bear or Wolf, or the most wicked Creature upon Earth. It is not man-like to see a hundred or more People singing songs of Joy for the taking of a prisoner, but it is much worse to see them use all their Contrivance of Torture and Pain to put that unfortunate Creature to Death after such a manner and was as other Nations, especially the English, never heard of; For if they in a Just war kill their Enemies it is like men in the Battle, and if they take them Prisoners they use them well and kindly, untill their King gives orders to return them to their own County. They take no pleasure to meanly burn, pinch or slash a poor man who cannot defend himself, it shows mean Spirits and want of true Courage so to do. For men of true Courage are always full of mercy. I am commanded to tell you, and I would have you remember it well, that no person whatever offer after this time to put any man to Death by Torture here, for whoever does it must answer it to the Governour and Government at their peril. It is inconsistent with the ways of Nations; it is a violent affront to our Government, and is Contrary to the Laws of the Great King who will not suffer it.

As our mutual and good Friendship has long Continued, So the Governour hopes, and the Govermt. also, that it will last from one Generation to another, as long as the Sun endures, and that we shall all be of one mind, one Heart, one Inclination, ready to help one another in all Just and good ways, by Charity, Compassion and mercy, Sticking Close and inviolably to all Treaties heretofore made, and most exactly to this now concluded, which he hopes will for ever last and remain to your good and Prosperity, which he and this Government heartily wish. And as it is expected that every Article of this Treaty be from the whole Hearts of all of you, So if amongst yourselves you know of any who have from your last Treaty or will dissent from this, Let them be known either by their own words or

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your Knowledge of them, For what I do is done with the whole Consent of our Governour, Council & People.

The Indians Answer delivered in Council, at Conestogoe, June 29th, 1719.

PRESENT:

Colonel John ffrench,	Canatowa, Queen of the Mingoes,
Capt. James Gould,	Sevana, King of the Shawenese,
Joseph Pigeon,	Wightomina, King of the Delawares,
John Cartledge,	Wininchack, King of the Canawages,
James Hendrickson,	Capt. Civility, of Conestogoe.

Civility, Interpreter in behalf of the ffour Nations, who all agreed to return one answer, acquainted John Cartledge, Interpreter for the English, that this Day the Indians were met to return an Answer to the Governour's Speech by Colonel French, and on no other Account. Looking upon every thing said to Colonel French to be said as if the Governour and his Council were there present, and well knowing Colonel French to be a true man to the Govmt. and to the Indians, They return with one Heart and mind their Thanks to the Governour for his kind Message. They meet him and take him by the Hand, and are forever determined that his will shall be theirs, and that on all occasions they will be ruled by the same.

They desire that the Governour may be acquainted that they are much pleased that his Message came whilst their young People were at home, for whom they had lately been in Pain & Trouble as being absent and abroad, that they might hear his good Words and Counsel, which both old and young of the Mingoes, Shawanese, Delawares and Conawages are resolved to hearken to; For though hitherto they have taken Night for Day, yet now by his good Counsel They can see the Light and what is good for them. They are glad that none of their young People miscarried in their late Journey, and that being now present, they have an Opportunity of hearing the Governour's Message by Colonel French, for most of them were absent when the other Letters from the Govr. came, as also that they have an Opportunity to ask their Opinions and Designs. Their young People all agree to Obey the Governour's Words and Message, And as Colonel ffrench yesterday told them that what He said was with the whole Heart of Governour and Council; So they declare that what they say is not from their Mouths only but from their whole Hearts, and the Heart of every one. They desire the Governour to believe, and be assured that they will be obedient to his Words, and that they ever have and ever will advise their young People to be mindful of his good Advice. They acknowledge themselves so much obliged to the Governour for his Care and Concern for them, that they intend in two months time to wait upon the Governour personally, to return their hearty Thanks for such Love from him and his Government.

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Colonel ffrench also produces an Accott. of his Expenses, viz: eight Pounds five Shillings expended in Money, and for the Trouble of his Journey and Negotiation He refers it to the Board, who allow him ten pounds.

John Cartlidges Accott. of his several Disbursements and Payments to the Indians, and his Charges in entertaining and treating them on several occasions, by Order of the Government, was also laid before the Board, vizt.: nine Pounds ten Shillings supplied in Goods for a Present to the Indians at Colonel French's aforementioned Treaty, and three pounds for other presents, and ten pounds sixteen Shillings and four pence for his several other Expences & Trouble, amounting in all to twenty three pounds six Shillings and four pence due to John Cartledge; Which Accott. being duly examined is allowed, and ordered to be recommended to the Assembly to order the payment thereof, together with Colonel French's Accott., the whole being forty one pounds eleven Shillings and four pence, and is the whole Charge of Indian Treaties for this present year.

At a Council held at Philadelphia, November the 17th, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill,	Samuel Preston,
William Trent,	Jonathan Dickinson,
Isaac Norris,	James Logan, Secretary.

The Governour acquainted the Board, That whereas one John Burrows, who had been convicted before the Court of Quarter Sessions held for the County of Bucks, of a certain Crime, For which He was by the said Court ffined in the Summ of two hundred pounds, after having lain many months in the Common Gaol at Bristol, did now make Application by his Wife unto the Governour, that in regard of the approaching Extremity of the Winter Season, and his other Circumstances, the Governour would please to extend his Compassion towards the Prisoner, by remitting the whole or such part of the said ffine as should seem meet; And for the better Satisfaction of the Country, the Governour desires the Opinion of this Board what may be proper for him to do therein. The Board were of Opinion, That if the said John Burrowes was recommended to the Governour's Compassion by the magistrates before whom he was convicted, Or that it was otherways certified to the Governour, that the releasing the said Prisoner would be acceptable to the Magistracy of that County, then the Governour might without any apparent Inconveniency make use of the Powers granted by the royal Charter, for remitting the whole or any part of the said Fine.

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At a Council held At Philadelphia, March the 3d, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill,
William Trent,
Isaac Norris,
Samuel Preston,
Jonathan Dickinson,
Colonel John ffrench,
James Logan, Secretary.

The Governour laid before the Board a Letter from the President of the Council of the Province of New York, with certain Propositions made by the Commissioners for Indian affairs at Albany, to some Sachims of the ffive Nations, with their Answer, which Letter and Propositions were read, and the said Letter ordered to be Entered upon the Minutes, and the Propositions to be kept among the Council Papers in the Secretary's Office; the Letter is in these words.

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Then the Governour acquainted the Board, that according to Mr. Schuyler's Desire, He had transmitted the said Propositions, with a Duplicate of the above Letter to the Governours of Virginia and MaryLand. And that by his Letter of the 14th of Decemr. last, He had signified to the President that he was willing to Know their Sentiments upon those Propositions before he communicated them to this Board; That the Governour of Virginia having returned an Answer or Remonstrance, (which came to the Governour's hands Yesterday by the MaryLand Post under a flying Seal,) to the President of New York, upon the subject matter of Indian affairs contained in the Letter & Propositions above mentioned, the Governour proposes that the said Remonstrance which contains many things worthy of some Attention may be read, which was done accordingly, and ordered to be entered on the Minutes at large, being as follows:

WILLIAMSBURG, January 25th, 1719–20.

SIR,—On the 2d instant I received a certain Paper, giving an account of a Conference held at Albany, on the 7th & 9th of November last, between your Commrs. for Indian affairs and some Sachims of the five Nations, and as the same came handed to me from Philadelphia, without any Letter on the part of your Govmt., to introduce and Explain the meaning of sending such a Paper hither. I should scarce have taken it to have been transmitted to me from the President & Council of New York, had not Governour Keith communicated to me the Copy of your Letter to him upon that Subject, wherein you mention, that it is by Advice of the Council that those Copys are sent as well to the Governours of Virginia & MaryLand and South Carolina as to him, and wherein you are pleased to express your self in these words, viz: "And their immediate Answers is expected with yours." The Account too contained in the said Paper might

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have well caused me to doubt whether it was genuine, because when you vouchsaf'd me the Honour to write to me in August last, you then promised to take Notice of the Memorial, given in at New York by Colo. Robinson in behalf of this Govmt., and gave me to expect that you would, at the next meeting of the Indians with your Commrs. press them to discover who that Chief man of Virginia was that had (as your Indians declared in the Conferrence at Albany on the 19th Day of June last,) invited them to come to wage War upon our ffrontiers, and had promised to assist them in the Undertaking with ammunition. This must needs appear to you a very treasonable Practice against the Peace of this Colony, so that I could not but think it deserved the attention of such of his Maty's Servants as had it most in their power to detect the Conspirators, especially since your Govermt. was formerly applied to upon the Occasion, but not pceiving one Word opened by your Commrs. to the Indians on that Head, I could hardly imagine that the said Paper contained a just Account of your Negotiations.

But to come to the Point, and to give you an Answer on the part of this Government. In your said Letter to Mr. Keith you are pleased to observed that Your Indians think themselves slighted by the Governments to the Southward, that this may prove of ill Consequence, and therefore sending Us Governours Copys of your Sachims Demands, you conclude with saying that our immediate Answer is expected; By which I can infer nothing less than a justifying your Savages, and threatening no longer to interpose your Endeavours to restrain them from infesting these Southern Governmts., or falling upon our Indian Allies unless we will submit to their Terms; but I beseech you, out of a Regard to his Maty's Subjects in these parts to keep them from such Attempts .till I have fairly stated the Case, and then leave you and all indifferent Persons to judge whether your Indians have Cause to Complain of this Governmt., or we of them.

In the first place I cannot but wonder to see fellow Subjects indulging even to a Suspicion of Encouragement, those Savages in their haughty Demands of having all the King's Governours on this Continent dance many hundred of miles to Albany to treat there upon every Caprice of theirs; And I with Admiration observe that your Commissioners (some whereof, if I mistake not their names, have been of long standing for the Indian Affairs at Albany, and even you yourself for many years at the Head of them,) suffer the Sachims of the five Nations to go away with the Notion of their being ill treated by these Southern Govermts.; Certainly, if those Gentlemen would have consulted the Journals of their own proceedings, they might have found somewhat to argue in behalf of Virginia. However, I hope it is not yet too late to remonstrate upon that Head, and therefore I shall take this Occasion to remind them of some Passages.

I shall not now run back to the Behaviour of your Indians on these Frontiers in former Governours times, nor herein trouble you with

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a long Enumeration of their Continual Infractions of solemn Treaties which they had made from time to time with this Goverment, having laid a full State thereof before your Governour when I was at New York. I will begin with their actions in these parts only, during my Administration, chusing not to dwell upon petty Robberies and single Murders which have been frequently committed by their like Skulking Parties, but to instance only some flagrant Facts too notorious to be denyed.

In the year 1712 & 1713, They were actually in these parts assisting the Tuscarouroes, who had massacred in cold Blood some hundreds of the English and were then warring against us, and they have, at this very day, the Chief Murderers, with the greatest part of that Nation seated under their protection near Susquehannah River, whither they removed them, when they found they could no longer support them against the fforce which the English brought upon them in these parts.

During the Tuscouroro War, about two hundred of your Indians set upon our Virginia Indian Traders, as they were going to the Southern Indians with a Carravan of at least eighty Horses loaded, And after having killed one of our People and shot most of their Horses they made Booty of all the Goods, declaring their Reason for so doing was because They did not carry their Ammunition to the Tuscouroroes, and this Plunder was so publickly vended to the Northward, that it was no Secret to your people at Albany what a villainous part they had been acting here with the English; And whether such an action be not at this day an incontestible Truth. I dare appeal to you yourself, notwithstanding your Commrs. may be willing out of some politick views, to conceal this piece of your Indians Treachery.

In April 1717, while I was treating in person upon our Frontiers with the Chief of the Cattawbraes and other Southern Indians, (who were certainly at that time under the immediate protection of this Government, having then delivered into my Custody all their Fire Arms, with some Hostages,) a Party of your Indians well Knowing that I was present, and learning from the Tuscouroroes the Business we were met upon, took the Opportunity of the disarmed Condition of those Cattawbra's to surprize and murder several of them in the Night, and to run off with a prisoner or two. Upon this Occasion, the Governmt. of Virginia sent Capt. Christopher Smith that Summer to New York, to expostulate with the five Nations upon several parts of their Behaviour towards this Colony, and to reclaim the prisoners taken from hence, and in the Conference He had with them at Albany, in the presence of your Governour on the 16th and 17th of June, their Sachims readily owned, that their People had been concerned in the action complained of, and had brought off one Woman prisoner, but making a Sham Excuse of their not Knowing that the Indians they fell upon were in Alliance with the English,

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and alledging that their prisoner had made her Escape. We were forced to be contented with their bear Promise of not Suffering their People for the future to come out a fighting this way to annoy any of the English or their Friends, but Capt. Smith was scarce returned to Virginia when a considerable Body of their Warriours were actually upon their March this way ward, and the Accounts I received of their Design, made me hasten away to the Northward to consult with the neighbouring Governours upon measures that might more effectually secure his Maty's Subjects and Allies from these Attempts of your Indians.

To Judge whether I had Grounds to be alarmed at this march of your Indians, I refer you to your Albany Journals of the 26th of August & 15th of September 1717, whereby it plainly appears that a Body of four or five hundred of their Young Warriors were in that month of August advanced as far as Sasquehannah River, and that they Openly declared their Design was to march directly to Virginia to make War upon our Indians; And it seems a second Promise was there made on the 2d of September, to Lawrence Clauson, your Interpreter, that they would desist from molesting our Allies, and bend their Course to the Westward against Indians above six hundred miles from any English Settlement, but the event has shewn that this Promise was no sincerer than the former made to Capt. Smith, for they forthwith passing on this side of the Mountains directed their Course in the Cattawbra Country, and there fell upon a Company of about one hundred and forty Men, Women and Children of those Indians, And a remarkable occurrence will prove them to be of the same Nation with those who were assaulted a few months before when I was present. For the above mentioned Woman Prisoner having made her Escape, after abundance of cruel usage from the Mohocks, came in to me almost famished with Cold and Hunger, about the middle of December 1717, and I cloathing her sent her home to her own Country, and this very Woman was of that number of the one hundred & forty, and carried off again captive to the Northward, for she in 1718 made her Escape again, and came in a second time to me through Pensilvania and Mary-Land, with the Passports of Mr. Logan & Coll. Addison.

After their Exploits with the Cattawbras, they were during the year 1718, continually hovering about our Christianna Indians Settlement, and tho' I sent out to invite them into a Treaty with me, they would not come to hearken to any Terms, answering me very haughtily that I must go to Albany to treat, and instantly demanding that I should turn the Christianna Indians from under the Protection of our Fort. This was what I could not in Honour nor Conscience agree to, because I knew that when these Tributary Indians of ours yielded to the proposal of this Government in the year 1713, for quitting the Lands and ffort they were then possessed of within the inhabited part of this Colony, and removing without all

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our Plantations in Order to awe the skulking parties of foreign Indians which at that time infested our Frontiers. They expressly stipulated with me that the English should build and garrison a ffort at their new Settlement, to serve as a Place of Refuge for them in case they should be overpowered by their Enemies, so that finding them now by such like Threats in imminent Danger, I was instead of turning them away obliged to receive them into the ffort.

After your Indians found themselves not strong enough to attempt any thing upon our Christianna Indians in their new Situation, They marched home in May 1719, Openly threatening to return again with a greater fforce to try the Strength of our Fort, and having taken their Rout through our Inhabitants, they marched us through an Enemy's Country, living on ffree Quarters, and committing several Robberies and Outrages in their way, And that we might understand They intended to continue their Course. They in their way home, stopt on the 20th of May at the Connoy Town, under the Govmt. of Pensilvania, there send for one of his Majesty's Justices of the Peace for the County of Chester, and upon his (Mr. John Cartlidges) Arrival they sit down before him in a grand Council of War, produce fifteen prisoners, bid him discourse with two of them that spoke English. He finds them Virginians born, and intercedes for their Lives and Liberties; They refuse his Request, and in fine tell him they had made a clear path to pass and repass to & from the Southward, having removed all Obstacles out of the way, and that they expected to have free Recourse for their People amongst the English Plantations, whilst they were making War.

Soon after they returned in several parties carrying themselves very rudely to our outward Inhabitants, and in the month of July last They approached Christianna and ravaged our Corn Fields close to the Fort there, upon which our Indians sallied out and a Skirmish ensued, wherein were two of ours and four of yours Killed. In September following, they came in the Night and lay in Ambush before the Gate of the Fort, and at the opening thereof they shot the first person that came out, and Kept firing upon the Fort until the English got to the great Guns, and so scar'd them away without any further mischief done at that time.

A length I found means to perswade one of their War Captains (who calling himself Cannaughtoora.) to come in with ten more to a Council held here, at Williamsburg, on the ninth of December last, where I with abundance of civil Treatment, endeavoured to engage him to carry a Belt of Peace to their ffive Nations in behalf of our Christianna Indians, but he haughtily refused the same, and answered that they would not be at Peace with them upon any Terms, however, I prevailed upon him to carry it with this proposal; That the five Nations should observe their ancient Treaty with this Government so far as not to come among the English Plantations, and particularly that none of their Warriours should approach within twenty miles of our Fort at Christianna.

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Now Sir, having laid before you a faithful account of your Indians Behaviour in these parts, during my Administration, give me Leave to reason with you a little thereupon; Is their close Confederacy with the Tuscouroroes, any ways agreeable to the five Nations Answer which Laurence Clauson reports to your Commissioners on the 6th of May 1712, and to be taken for the assistance promised to reduce those Murderers? or is the reason they gave for plundering our Traders a Testimony of their acting for the English? Can their Forbearance with the Cattawbras so long as these were making War upon South Carolina, and their Continual Attacks upon them ever since they have been engaged for that Province, be look'd upon as a faithful Observance of their Engagements to your Governour on the last of August, 1715? Or is it credi'able that they should not guess the Cattawbras to be our ffrds. when they saw me the Day before come out with six persons only to meet a hundred of them? Is not their marching through our Se:tlements a manifest Breach of their Treaty with Virginia? and their continual Attacks upon our tributary Indians so many Violations of their repeated Promises? Can they charge this Colony with ever injuring or molesting one of them? And if they will perpetually haunt us, alarming and doing mischief to our people, need they wonder that we often follow them with Complaints, tho' they in their Conference on the 19th of June last, would make our complaining a crime, and your Commissioners are pleased to term it a troubling of your province?

But perhaps you may urge what I have already been told on the part of your Governmt., that the Indians are Strangers to our refined Notions of Honour and Justice, and y' their Savage Nature will not bear reasoning upon their Conduct; However, Let me argue the Case with a person that presides over a civilized People, who by their Situation are the only proper Conservators of that Peace which the five Nations have covenanted to observe towards all his Majesty's Subjects and Allies on this Continent.

I have given serious Attention to your Conferences at Albany, and the Transactions of Indian affairs there, and cannot but take Notice how the five Nations have brought your Government to confer with them in a more submissive and soothing Stile than they were formerly treated with, even when they were much more numerous, and the English less powerful on this Continent; ffor I gather from attested Records about thirty or forty years ago, sundry Instances of their being boldly taxed wi h Injuries done our King's Subjects, and of their being sharply reproved and severely threatened for the same, to all which they then submitted with humble Promises of amendment, and thanking the English for being so merciful as to forgive them; but Now your Commrs. are either afraid or unwilling to urge upon those People their late Violences committed against the Southern Governments, to remonstrate to them their many Infractions of their Treaties and Promises, or to take the least Notice of the Plunder and Captives which they have returned with from this

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Colony; Nay, They represent us Governours, (in one of their Letters to Briggadier Hunter,) as if We chose to clamour upon those Occasions, only to put Your province to Trouble and Expence, and to every Remonstrance of your Injuries, the concluding Answers We receive is, that We must forthwith repair in person, or by our Deputies to Albany, to compound and make up the Breach there; Nor will Preliminaries be admitted of, but it seems to be expected that without Conditions we first appear to pay our Homage and Tribute, ffor when I was last at New York, I offered but two preliminary Articles proposed as the Basis of a Treaty which the Government of Virginia should for once, send to conclude at Albany, nor did they contain any other Condition than what had been already stipulated in former Treaty's, viz: That they should not pass on this side the High Ridge of Mountains to concern themselves with the English or their neighbouring Indians, but as We had experienced that the agreement of the Sachims signified litle without the Concurrence of the young men, I judged it convenient to insist that these should previously give their Consent to those two Articles. Tho' I left those Preliminaries above two years agoe at New York. in Writing, I have not yet understood that your Commrs. ever touched upon them, and I cannot but observe with Surprize that you suffer without a Reply, the Sachim of the Oneydes to tell you and the rest of the Commissioners to your Faces, on the 19th of June last, that you never before that Day acquainted them, that the Indians they had been warring against (which were those bordering upon us far on this side of the Mountains,) were in League with any of his Majestys Colonies.

After this Government had been at the Charge of a hundred pounds in sending Capt. Smith to Albany to expostulate with your Indians, and I myself had been at greater Expence in going to New York to offer Proposals; Surely if they had been communicated to them, 'tis I, not they that have Reason to complain of no Answer being yet returned, and I hope upon better Consideration, you'll say, your Indians have not been slighted by Virginia, and will reflect that 'tis hardly to be expected that I should attend them at Albany upon a fruitless Negotiation, untill I have an Answer to the preliminaries which I delivered to your Governour; As to the Burden of your Indians Song, that Albany must be the only place for their treating with the English and their Allies. I must frankly tell you, that your allowing (not to say encouraging) them to insist upon that haughty Demand, however you may fancy it raises the Reputation of your Province, is far from strengthing it, or acting for the Honour of the British Nation in general. What? Are They not to stir one Foot to treat with any of his Majestys Governmts., and yet will run a thousand miles to treat with a petty Nation of Indians? Believe me, Sir, This Treatment lessens the English in the Eye of both Pagan & Christian World, for not only our tributary and neighbouring Indians begin to grow more insolent since they perceive we bear with

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this presumption of your Indians, but I also found in Discourse not long agoe with some French Traders, that they conceived a very mean Opinion of those Governments from hearing that We were so managed by the five Nations.

Thus far I have thought fit to let you Know my Sentiments on the Behaviour of your Indians, and what might have been Expected from the Persons you employ to confer w^t^ them. It remains that I now tell you what the Resolutions of this Government are, Notwithstanding I press'd, as tho' I were a Stranger to all that I have now remonstrated to you, yet I could not prevail either upon our Council or Assembly to be at the Expence of sending again to Albany to renew the Covenant Chain with your Indians there; but on the contrary, They have advised that the Militia of all our Frontier Counties should be more frequently disciplined, and kept in a Readiness to act and to oppose your Indians in case they attempt to march through and annoy our Settlements any more; So that if your Indian Warriours will continue their Insolence they may soon meet with a Rebuff, for I do assure them they will have to encounter 8 or 900 Men of our Frontier Counties, without bringing any of the LowLand Counties to the Action, and when once the Blow is struck, and We are involved in a War with the five Nations, I leave you to consider whether his Majesty will allow your province to stand Newter and carry on your Trade with them.

No man need put me in mind of the ill Consequences which a War is like to bring upon the Out Settlements of all these Governments. I am dreadfully enough possessed with the apprehensions thereof, and for that Reason have now taken the pains to state our Case thus particularly to you, and do earnestly exhort and intreat you heartily to interpose your good offices to put a stop to the dangerous Courses of your Indians this way. I, for my part, shall do my utmost to put off the evil Day, having given Express Orders to the Officers of our Militia to endeavour by all fair means to perswade them to march clear of our inhabited Plantations, and to be very cautious that our People act not otherwise than upon the Defensive; But, You are to understand that in an affair of this Nature, a Governour of Virginia has to steer between Scylla and Charyhdis, either an Indian or a Civil War, for the famous Insurrection in this Colony called Bacon's Rebellion, was occasioned purely by the Governour and Council refusing to let the People go out against the Indians, who at that time annoyed the Frontiers, and it seems as if the same Humour was again arising in Virginia, for I have this year received divers Remonstrances signed by great Numbers of our Inhabitants, wherein they display a multitude of Injuries they daily receive from the Northern Indians, and pray that measures may be taken for repelling their Insolency.

I could add a great deal more Reasoning upon the general Interest of the English with respect to the Indians on the Back of all his Majesty's Plantations on this Continent, and might argue how

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destructive this Conduct of the ffive Nations is to that Ballance of Power which we Christians ought to preserve among our neighbouring Heathen; but I hope I have said enough at this time to induce you to exert the Power which I'm satisfied you must have over your Indians, and to restrain them from infesting these parts any more. So no longer to tire you with this subject, I conclude wt. much Respect,

Sir, your most obedt. humble Servant,

A. SPOTSWOOD.

Then the Governour presented to the Board the Draught of an Answer to the Presidt. of New York's Letter and Propositions above mentioned, in behalf of this Colony, which being read, was with some Additions agreed to be a proper Answer on the part of this province, and is as as follows:

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At a Council held At Philadelphia, March the 22d, 1719.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Anthony Palmer,
William Trent, Jonathan Dickinson,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

Present also David Lloyd, Esqr., Chief Justice at the Govrs. Desire.

The Governour acquainted the Board of his Design to visit the Counties of New Castle, Kent & Sussex upon Delaware, and that He had called the Council together, at this time, to know if any thing occurred to any of the Members of the Board, that might be necessary to be done before his Departure from hence upon his intended Journey.

The Governour also desired the Opinion of the Board, whether seeing upon the late Repeal of the Laws for Constituting the Courts of Quarter Sessions, Common Pleas, and of the Supreme or provincial Court, it was judged necessary by this Board that new Commissions should be issued for holding the said Courts of Quarter Sessions & Common Pleas, and that the time when the said Supreme or provincial Court was appointed to be held by the Law lately repealed was now at hand, it might be necessary to issue new Commissions to the Justices of the said Court? Which being fully considered and debated, it was the Opinion of the Board, that the Governour should

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issue new Commissions to the Justices of the said Supreme or provincial Court, authorizing and requiring them to hold a Supreme Court of Law, on the same Days on which the said Court way appointed to be held by the Law lately repealed, And the Chief Justice, at the Governours desire, undertook to prepare a proper Form of such Commissions. Then the Council was adjd.

At a Council held at Philadelphia, June the 8th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
William Trent, Colonel John ffrench,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

The Governour laid before the Board a Petition from several persons, Inhabitants on the South Side of and adjacent to the River Schuylkill, to the Assembly of this Province, which Petition was referred by the Assembly to the Consideration of the Governour & this Board, and complains "That the Petitioners having been formerly and are this present year rated by the Commissioners and Assessors of the County of Philadelphia, and that now a new Demand is made upon them by the Officers appointed for collecting the County Rates and Levies within the County of Chester, and praying that a Division Line may be run between the said Counties, and that the Petitioners may be answerable for County Levies only in the County of Philadelphia as formerly," the said Petition was referred to James Logan, Esqr., Secretary, and one of the Commissioners of Property, to inquire into the Situation and Case of the Petitioners, and to make a Report thereof unto the Board as soon as conveniently may be. A Resolution of the House of Representatives, dated the 4th day of May last, was laid before the Board, and read in these words.

May 4, 1720.

Resolved, that considering the present Circumstances of this province, this House is of opinion. that for the present the Governor be desired to open and hold a Court of Equity for this Province, with the assistance of such of his Council as he shall think fit, except such as have heard the same Cause in any inferiour Court.

A true Copy, Signed by Order,

MAURICE LISLIE, Ck. Synod.

And some Debates arising upon the subject matter of the said Resolution, being of great Moment and Importance to the Inhabitants of this Colony, it was referred to further Consideration.

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Then was read a Representation by the Commissioners and Assessors of the County of Chester to the Justices of the said County, together with an Address of the said Justices to the honoble the Governour, submitting the Subject matter of the said Representation wholly to the Governour's Care and Conduct. The Representation sets forth, that the Commissioners and Assessors of the County of Chester, being by Law impowered to lay Assessments upon the Inhabitants of the said County, for defraying the incumbent Charges thereof; but that a considerable Number of Persons, whose names are thereunto annexed, called the adjacent Inhabitants of the Townships of New Garden, who used to be rated by the Commissioners & Assessors of the said County, and paid their respective proportions accordingly, do now refuse to pay the same, because of their being taxed in New Castle county, and threatened to be distrained upon by reason of the Refusal to pay the County Levies to the officers appointed to collect the same within the said County of New Castle; and prays that Care may be taken for the Relief of the said Inhabitants from the Incursions like to be made upon them by the County of New Castle, in manner aforesaid.

There was also read a Petition of the Shop Keepers and others, Inhabitants of the City of Philadelphia, setting forth the Loss they sustain through the practice of the present Master of the Vendue, in selling and retailing at public Vendue Shop Goods to the value of one Shilling and under, to the manifest prejudice of the Petitioners, and praying Relief therein from the Govr. The Consideration of which Petition, because of the Governour's present Indisposition, was deferred till next meeting of the Council.

At a Council held at Philadelphia, July the 12th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

James Logan, Secretary, reported to the Board, That having lately acquainted the Governour that he had occasion to go up towards the farther End of the Great Valley, on the Road to Conestogoe, the Governour had desired him not to fail to proceed to Sasquehannah, and their discourse the Indians concerning their late message to him, excusing their not coming to Town as had been proposed by Reason of some Trouble they were under, through the Loss of some of their men slain by the Southern Indians, and thereupon desiring the Governour to come up to them; That accordingly he went, and finding

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the Indians desirous to speak with him, he appointed the 27th of last month, That the Chiefs of the Mingoes or Conestogoe Indians, the Sachim or Chief of the Shawanese, the Chief of the Ganawese, with several of their People, and some of the Delawares, met him on the said Day at John Cartlidges, and being all sate, Peter Bizaillon and John Cartlidge, Interpreters. James Logan first spoke to the Indians, telling them, That as they had been long expected at Philadelphia, in pursuance of their own Messages for that purpose, but instead of coming had lately sent to the Governour, desiring for some Reasons that he would come up to them; He, their old Friend, with whom they had been acquainted in their Treaties for twenty years past, being now come upon Business into these parts was willing to hear from themselves, not only how it was with them, but the Occasion also of their delaying their Journey to Philadelphia so long, and at length sending the said Message to the Governour. They hereupon sate silent for some time without appearing ready to speak to any thing, and making no Return, the Secretary press'd them to answer him, telling them that he ask'd these Questions in behalf of the Governour and Government, that they themselves had appeared desirous to speak to him, and that as they now had an Opportunity they ought to proceed and speak their minds freely. To which at Length they answered, that there had been lately killed by the Southern Indians twelve men, ten of the Mingoes or five Nations & two Shawanese, about one hundred and sixty miles from that place, which was the Occasion of their sending that message. James Logan ask'd them, whether these two Shawanese had been abroad hunting, They answered No! They had gone out to War. He then demanded the Reason why they would offer to go to War, after their Solemn Promises to our Government to the contrary. The Chief of the Shanawese replied that a Dispute arising among some of their young men, Who was the best man, to end it they resolved to make the Tryal by going out to War, that they could not be restrained, but took the opportunity of accompanying some of the five Nations that were going out and took their Road that way.

The Secretary told them he should have a great deal to say to them on these Heads, and that the Day being now far advanced he must desire them to meet him in the same place in the morning, and then treating them with some Drink they withdrew.

Next morning the same Persons attended, bringing some Bundles of Skins with them, From whence it being conjectured that the Indians designed to begin a Discourse. All being seated, after some time spent in Silence, the Mingoes or Conestogoe Indians began, a Ganawese Indian, who called him Captn. Smith, and is said to speak all the several Languages, viz: his own or the Ganawese, the Mingoe, the Shanawese & Delaware, to perfection, being appointed Interpreter into the Delaware Tongue, and Peter Bizaillon & John Cartlidge interpreting that into English. They spoke as follows, viz:

That last year Colonel French came to them on a Message from

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the Governour to inquire into their Health, and how it was with them, their Children and Grand Children.

That they were not then ready to give an Answer to all that He said to them, but that now they would speak freely from the bottom of their Hearts, and their Friend might depend on not having words Only but their truest inward Sentiments without Reserve; And then they laid down a Bundle of undrest Deer Skins.

That Colonel French and those with him told them from the Governour, that the message the Governour sent them and the Advice he gave them was from his Heart and for their Good, and they would as freely speak from their Hearts. The Governour advised them to go out no more to War, nor to joyn with any of the five Nations or others, that went out for that purpose, but to live at Peace with all People, and if any Prisoners were brought to their Towns, they should not suffer them to be burnt or tortured; That tho' some of their People were Killed once or again, yet they should not go out but bear it, but the third time they might all go out as one man together; That this they thought was somewhat too hard upon them, if they must be confined as Prisoners at home, and could not go to meet their Enimies that came against them.

That when Governour Penn first held Councils with them, he promised them so much Love and Friendship that he would not call them Brothers, because Brothers might differ, nor Children because these might offend and require Correction, but he would reckon them as one Body, one Blood, one Heart and one Head; That they always remembered this, and should on their parts act accordingly; That few of the old men who were at those Councils were living; These were removed, and those who were then very young are now grown up to succeed, but they transmitted it to their Children, and they and all theirs should remember it forever; That they regarded not Reports or what was said abroad, their Head was at Philadelphia, and they were one with him, on him they depended that they should Know every thing that concerned them.

The Ganawese, in behalf of their People say, They are glad that they never hear any thing from the Govrmt., at Philadelphia, but good Advice and what is for their Advantage; That their present Chief was once at Council with William Penn before they removed into this province, and that since they came into it, they have always lived quiet and in Peace, which they acknowledge, and are thankful for it; That the Advice that is sent them is always so much for their good that they cannot but gladly receive it. When the Sun sets they sleep in Peace and in Peace they rise with him, and so continue while he continues his course, and think themselves happy in their Friendship, which they shall take Care to have continued from Generation to Generation. And that as it shall thus forever continue on their side; So they desire the same may continue on the Governours part, and that if any Reports should be heard concerning them, They desire it may not be believed to their Disadvantage, for they will still be true and the same they at first professed themselves, and then they lay down a Bundle of Deer

Skins. The Conestogoes say, That William Penn made a League with them to last for three or four Generations; That he is now dead, and most of their ancients are also dead, but the League still remains, and they now take this Opportunity to renew and strengthen it with their ffriend, who has always represented William Penn to them since he left them; One Generation may die, and another may die, but the League of Friendship continues strong and shall forever continue so on their part. And this is not said on behalf of themselves, the Mingoes only, but of all the Indians on the River, And they give another Bundle of Deer Skins. Captain Civility throws down a small Bundle of ffurrs and says, that they all joyn and send that as a present to the Governour to make him a Beaver Hatt. They say in behalf of the Ganawese, that they have no Writing to shew their League of Friendship as the others have, and therefore desire they may be favoured with one lest if they should trangress by Reason of Rum, which is brought to them in too large Quantities, they may be cast off and forgotten that ever they were in ffriendship with us.

The Indians being met again after some Refreshments, the Secretary spoke to them as follows:

It must be a great Satisfaction to all honest and good men, to find that the measures that great man, Wm. Penn, took to establish a firm Friendship with you has had such excellent Success. Your Predecessors and you always found him sincere in what he professed. He always ordered all those in power during his Absence to shew you all the like Friendship and affection. Every Governour that came has been the same to you, and the present Governour, Colonel Keith, shewed the same Disposition immediately upon his arrival, by hastning up to you with his Council and many of his Friends as soon as he heard you were in Trouble.

You on your parts have been faithful and true to us, whatever Reports might be spread, yet the Chain was still preserved strong and bright. You never violated it. We have lived in perfect Peace and Unity above any other Government in America, And you renewing the Chain at this time upon the Decease of your great Friend, with us who remain alive, is so affectionate and kind that I shall not fail to represent it duly to the Governour and your good Friends in Philadelphia. This Chain has been made near forty years agoe; It is at this time strong and bright as ever, and I hope will continue so between our Children and your Children, and their Children's Children to all Generations, while the water flows or the sun shines in the Heavens; And may the great Spirit who rules the Heavens and the Earth, and who made and supported us all, who is a ffriend to all good men who love Justice and Peace, continue the same Blessing upon it forever.

But my Friends and Brothers, as we are obliged to take Care of each other, and as the English have opportunities of seeing farther

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than you, I find myself obliged in behalf of our Governour and Government, to offer you some Advice that may be of great Importance to you, and which at this time is absolutely necessary.

You acquainted me yesterday with a Loss that you had sustained, viz: that twelve men, ten of the five Nations and two Shawanese, had been lately cut off by the Southern Indians not two hundred miles from this place, which grieves me exceedingly.

I am scarcely willing to mention the Cause of it lest I should trouble you, but I must do it for your good; I should not be your true Friend should I forbear it.

You Know then, my Brothers, that the Cause is, that some of your young men have unadvisedly gone out to War in Company with others of the five Nations against these Southern Indians. Young men love to go sometimes to War to shew their manhood, but they have unhappily gone against Indians that are in friendship with the English. You know, that asof the Five Nations some are called Isawandowaes, some Cayoogoes, some Onondogees, some Oneyookes, and some Connyingues, yet they are all one People; So the English, tho' they have different Governments, and are divided into New England, New York, New Jersey, Pensilvania, MaryLand, Virginia and Carolina, yet they are All under one Great King who has twenty times as many Subjects as all these, and has in one City as many Subjects as all the Indians that we know in North America. To him We are all Subject and are all governed by the same Laws; Therefore, those Indians who are in League with one Government are in League with all; Your Friendship with us recommends you to the Friendship of all other English Governments, and their Friends are our Friends. You must not, thereffore, hunt or annoy any of the English or any of their Friends whatsoever.

Those Southern Indians, especially the Tootelese, formerly made Friendship with you, and I believe it was they who lately sent you nine Belts of Wampum, to continue the League; They desired Peace, yet the five Nations, and some of your rash young men have set upon them; pray remember, They are men as well as you, consider therefore, I request you, what you would think of yourselves should you suffer these or any other People to come year after year and cut off your Towns, your Wives & Children, and those that escape should sit still and not go out against them, You would not then deserve to be accounted men; and as they, you find are men, it is no wonder if they come out to meet these young fellows, and endeavour to destroy those whose Business it is to destroy them and their Families.

I must further, your friend, lay before you the Consequence of your suffering any of your young men to join with those of the five Nations. They come through your Towns and bring back their prisoners through your Settlements, Thus they open a clear path

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from these Southern Indians to your Towns, and they who have been wrong may follow that open path, and first come directly as the path leads to you. Thus you who have done but little, and by the Instigation and Advice of others may be the first that are fallen upon, while those of the five Nations are safe at home at a great Distance with their Wives and Children, and you may be the only sufferers.

They have hitherto come out to meet their Enemies who were going to attack them, and like men they fight them; but as I am your Friend, I must further inform you that these People would come quite up to your Towns to do the same to you that they have suffered, but your being settled among the English has hitherto preserved you, for the Governours of Virginia and Carolina can no longer hinder them from defending themselves; They desired Peace, and would live in Peace if it might be granted them.

I must further inform you, as your Friend, that this whole Business of making War in the manner You do, is now owing to those who desire nothing more than to see all the Indians cut off, as well to the Northward as the Southward, that is the French of Canada, for they would have the five Nations destroy the Southern Indians, and the Southern Indians destroy you and the five Nations, the Destruction of all being their Desire. The Governour told you, by Colo. French, that they were your Enemies who put you upon War, and they are your truest ffrds., who would preserve you in Peace, Hearken to the Advice of your Friends and you will be preserved. You see how your numbers yearly lessen; I have known above three score men belong to this Town, and now I see not five of the old men remaining.

What the Governour has said to you by himself, and by Colonel French, and what I now say to you is for your own advantage, and if you are your own Friends you will pursue the Advice that is given you. If any of the five Nations come this way in their going out to War, and call on any of you to accompany them, you must inform them as you are in League with us, and are as one People, you cannot break your Promises, and it cannot but be pleasing to them to see you live in such ffriendship with us. I have said enough on these Heads, and you I hope will lay it up in your Hearts and duly observe it; Let it sink into your minds, for it is of great weight.

The Ganawese have behaved themselves well since they came amongst us, and they shall have what they desire. Your People of Conestogoe, about twenty years agoe, brought the Shawanese with them to Philadelphia to see and treat with Governour Penn, and then promised the Governour that they would answer for the Shawanese that they should live peaceably and in ffriendship with us, but We find their Ears are thick, they do not hear what we say to them, nor regard our Advice.

The Chief of the Shanawese answered to this with a deep concern, that this was occasioned by the Young men who lived under no Government; That when their King who was then living, Opessah,

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took the Government upon him, but the People differed with him; he left them, they had then no Chief, therefore some of them applied to him to take that Charge upon him, but that he had only the Name without any authority, and could do nothing. He counselled them, but they would not obey, therefore he cannot answer for them, and Divers that were present, both English & Indians, confirmed the Truth of this.

The Secretary hereupon admonished him and the rest to take a further Care, that what had been said should be pressed upon the young People and duly observed, And then calling for Liquor and drinking with them dismissed them.

But the Indians, before they would depart earnestly pressed, that an account of this Treaty should with all possible Speed be dispatched to the Governours to the Southward, and to their Indians, that further mischief might be prevented, For they were apprehensive the Southern Indians might come out to meet the five Nations, and then they, as had been said to them lying in the Road might be the Sufferers, but they truly desired Peace, and were always against molesting any Indians that were under the Protection or lived in Friendship with the English.

The Secretary then proposed to them that they should send some of their People with Belts of Wampum to the Governour of Virginia, to assure him of their Resolution to live in Peace, and to desire him to acquaint all his Indians with the same. They readily agreed to send the Belts without delay, and promised the following week to bring them to Philadelphia, but they seemed apprehensive of Danger to their People in going to Virginia, where they were all Strangers, unless the Governour would send some English in Company with them to protect them.

After this Conference was ended, Civility desired to speak with the Secretary in private, and an opportunity being given, He acquainted the Secretary that some of the ffive Nations, especially the Cayoogoes, had at divers times expressed a Dissatisfaction at the large Settlements made by the English on Sasquehannah, and that they seemed to claim a Property or Right to those Lands. The Secretary answered, that He (viz. Civility) and all the Indians were sensible of the Contrary, and that the ffive Nations had long since made over all their Right to Sasquehannah to the Govmt. of New York, and that Govr. Penn had purchased that Right with which they had been fully acquainted. Civility acknowledged the Truth of this, but proceeded to say he thought it his Duty to inform us of it, that we might the better prevent all misunderstanding.

The Secretary having made an End of his Report, the Govr. observed, that from the last particular yr of there was Ground to apprehend that the ffive Nations, especially the Cayoogoes, did entertain some secret Grudges against the advancing of our Settlements upon Sasquehanna River, and that it was very much to be suspected

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that the ffive Nations were spirited up by the French agents from Canada or Misisippi, to make these new and groundless Claims upon us whom they believed to be a mild defenceless People, and therefore liable to be with less Hazard and more easily insulted than any of the neighbouring Colonies; That though the Govr. was not under any immediate apprehension of Danger from the Indians of the ffive Nations, yet our present Security seemed wholly to depend upon the Strength and Authority of New York, and not upon the Peaceable Disposition or Faith of these Barbarians; That if the French (as it was but too probable at this Juncture,) should pursue their usual Policy in not only debauching the Indians every where from the English Interest, but also to provoke and encourage them to make War upon one another, and thereby to embroil all the English Settlements upon this Continent, every Colony would in that Case find themselves sufficiently Employed in their own proper Defence. And these things had made such a deep Impression upon the Governours mind, that He could not but think the Public Safety, as well as his Honour and Character, to be particularly concerned in making such timely Provision for the Defence of this Colony, as the Nature of the Constitution and the good Inclinations of the People would pmit, 'unto which End the Govr. believed that a voLuntary Militia might be raised, and put under such good Regulations by'an Ordinance as could give no offence to any, but be of a general Advantage and Security to the Trade and People of this province.

The members present being all Quakers, some of them desired to be excused from giving their Sentiments upon a Subject of that Nature, but all seemed to acquiesce in leaving that matter wholly to the Governours Prudence and good Conduct. The Secretary was in the mean time directed to examinine whether there was any Ground for the ffive Nations to claim a Right to any Lands upon Sasquehannah; And also it was mov'd and agreed upon, that the Govr. should write to the President of New York, representing the ill Treatment our People lately received from those of the ffive Nations in their last Return from the Southward, and the ill Consequences which may possibly ensue from their opening a path to War through our Settlement upon Sasquehannah.

Then the Council was adjourned to Tuesday next, the 19th instant, at three in the afternoon.

At a Council held at Philadelphia, July the 19th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Samuel Preston,
Isaac Norris, James Logan, Secretary.

The Governour presented the Draught of a Letter to the President

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of New York, mentioned in the last Minute of Council, which with very little alteration was agreed to, and is as follows:

PHILADELPHIA, July 19th, 1720.

SIR,

Mr. Logan, Secretary of this Province, having about three weeks agoe held a Conference with our Indians, at Conestogoe, upon his Report thereof to the Council, it was thought proper that I should acquaint you, by Letter, of some things which seems to be of a general Concern, but more immediately affect the Tranquility of this as well as the Government under your Direction.

The obliging free manner with which you have been pleased to honour me in our former Correspondence upon the same subject, encourages me now to chuse this familiar way of representing our Thoughts, rather than to trouble you with irksome Complaints and formal Memorial.

The prudent apprehensions which we ought to have of the extravagant Growth of the ffrench Settlements upon the Back of these Colonies, and the Inconveniences which must follow from the Success of their Jesuits in debauching many of your five Indian Nations from the English to a ffrench Interest, are very fully and clearly set forth in your Letter to me of the 20th of December last, and I am of opinion, that the Presents allowed by the Crown, and your diligent application in your frequent Treaties with the ffive Nations, have been of great Use to prevent the Consequences which otherways might have been expected from the Artifices of such powerful Enemies and most indefatigable Rivals.

Nevertheless, we must not think ourselves absolutely secure by a constant Repetition of the same means, but rather keep a watchful Eye upon every new motion of so subtile an Adversary, And therefore I would humbly entreat you to recollect how that upon the former Peace with the ffrench, the five Nations immediately desisted from going out to War against the Illenese, the Hurons, and other Indians in League with the French, So that their young men or Warriours were obliged to go a great way off towards the South West against Indians settled upon or near to the lower Branches of Misisippi, but of late They seem to have relinquished that Path, and notwithstanding of their many Engagements to the Contrary, to be found upon the minutes of your Treaties at Albany, yet their Course and Projects of War is now generally bent against the Indians who are in Amity with Virginia and Carolina.

If then, neither the authority of your Government, the Contenance of his Majestys regular fforces, nor the Weight of his royal Bounty and large presents can divert these unruly heathens (viz. the five Nations) from insulting the English Colonies and destroying their Allies. Can we suppose that any thing else but ffrench Councils could have formed an artifice like this, to set all the Indians in

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ffriendship with the English at War with one another, in such a manner as cannot fail even to imbroil the English Colonies themselves? For the Southern Indians being at last provoked beyond measure, came out this Spring to meet the mighty Warriours of your five Nations, and pursued them with Slaughter almost as far as Patowmeck River, from whence they returned from the path they have practised for some yearst past to Sasquehannah and our Settlements there. So that it seems as if they Intended to make us a Barrier by drawing their provok'd Enemies first upon us before they can come at them, which is the more likely to prove the Consequences of these proceedings, because tho' our Indians have repeatedly engaged to me that they would go no more out to War, yet as often as those of the five Nations come that way, they Constantly press some of our Indian young men to accompany in their Expedition, and when the others shew'd a Reluctancy from the obligations they lie under to the contrary, they haughtily ask them to whom they belong, whether to them or to us? to which our People being awed by them, dare make no other Answer than that they belong to them, and thus they are forced away. Thus four of ours accompanied their last party, and two of the four were Killed, the Consequence of which I say must be, that whenever those Southern Indians think fit to proceed so far by following the path their Enemies have trode out to them, they will be first led to our Settlements and there probably the Mischief must begin. Our Indians dread to offend them, and are cautious of even mentioning them but with Respect, unless it be at times of their almost ffreedom with us as their Friends.

As often as they come they are treated with the greatest Humanity, both by our Indians and Christians, and we rarely have had occasion to complain of their Deportment untill of late, and especially this last time, when without any provocation they shot divers of our People's Creatures for their Diversion only without touching them for ffood, and robbed one Paterson, a Trader's Store, before his Face, (as he complains) of some pounds value, without pretending to make any manner of Satisfaction; And last of all, as if they had firmly purposed openly to insult and affront this Government by any means whatsoever. Some of the Nation called Cayoogoes had the Boldness to assert, that all the Lands upon Sasquehannah River belonged to them, and that the English had no Right to settle there, intimating as if they (the Cayoogoes) speedily intended to come down with their People to Philadelphia, in order to demand Possession of those Lands; An insolent way of speaking, which I am told they have but lately assumed, since the Death of two of their ancient men who kept them in some awe, and ever shewed a faithful Regard to the English Interest.

Now Sir, Though we are under no apprehensions of their committing an act which might terminate in their own Destruction, yet we thought it proper to advise you of their impertinent and foolish Conduct, that they may be reprimanded by your authority in such a manner as you shall see fit.

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And that you may plainly see upon how groundless a Pretence it is that they want to quarrel with us, I beg leave to give you a short Informacon how matters stand between the five Nations and the Proprietor of this Colony.

When Governour Penn first settled this Country, he made it his Chief Care to cultivate a strict Alliance and Friendship with all the Indians, and condescended so far as to purchase his Lands from them, but when he came to treat with the Indians settled upon the River Sasquehannah, finding that they accounted themselves a Branch of the Mingoes or ffive Nations, he prevailed with Colonel Dongan, then Governour of New York, to treat with those Nations in his behalf, and to purchase from them all their Claim of Right to the Lands on both sides of Sasquehannah, which Colonel Dongan did accordingly, and for a valuable consideration paid in Sterling money, Colonel Dongan, by good Deeds transferr'd or convey'd his said Right purchased from the five Nations to Governour Penn & his Heirs, in due Form of Law.

Upon Governour Penn's last arrival here, about twenty years agoe, he held a Treaty with the Mingoes or Conestogoe Indians settled on Sasquehannah, and their Chiefs, did then not only acknowledge the Sale of those Lands made to Colonel Dongan as above, but as much as in them lay did also renew and confirm the same to Governour Penn. Lastly, About nine or ten years agoe, a considerable Number of the five Nations, not less than fifty, (as it was judged by those present) came to Conestogoe, and meeting there with Colonel Gookin, late Governour of this Province, attended by several members of his Council, Colonel Dongan's Purchase was mentioned to them, and they not only appeared to be fully satisfied therewith, but proceeded in a formal manner, without any Hesitation, to confirm all our former Treaties of ffriendship with them.

From all which it is evident that neither the whole five Nations together, nor any one of them separately, have the least appearance of a just Right to any of these Lands they would now claim; So that if they do not think fit, either in their Answer to you from Albany, or by messenger of their own to Philadelphia, (not exceeding the usual Number of a peaceable Embassie,) to make some suitable Acknowledgments to this Government for the above mentioned insolent Expressions & Behaviour of the Cayoogoes We shall conclude that they have been strongly instigated thereto, and that it must proceed from Causes which tend to the prejudice of the British Interest in general, and therefore equally concern all his Majestys Subjects upon this Main.

But from the Influence which the Government of New York certainly has, or at least ought to have upon these five Nations, their good Allies, it is to be hoped they will listen to your friendly Advice before it be too late; And if their young men must go to War, let them only be perswaded to change the path and present Course of their Warlike Enterprizes, so as not to molest the English Settlements on

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this Continent or any of their Indian Friends. I am for my own part extremely anxious to preserve and continue the good understanding that has hitherto subsisted between this Colony and the five Nations, but as we never had nor desire to have any Intercourse with them by Trade, I am at a Loss how to represent my Thoughts to them any otherways than by the Favour and neighbourly assistance of your Government, which I earnestly beg leave you would please to interpose so far in our behalf upon this Occasion, as to procure some distinct Answer from their Sachims, relating to the above mentioned particulars of their People'sConduct amongst our Settlemts.

Now Sir, I can make no other Apology for all this Trouble given to yourself, but that you shall ever find me ready on all Occasions to execute any Comands relating to your Service, being with a most faithful and sincere Respect.

Sir, Your most humble & most obedt. Servt,

W. KEITH.

Then an engrossed Charter for erecting the Town of Bristol into a Burrough, was read, and with some Amendmts. agreed to by the Board.

The Petion of the Shopkeepers of Philadelphia concerning the Vendue, which at a Council held the 8th Day of June last, was referred to another meeting, was again read, And it appearing that the Practice of other Colonies was the only thing asserted, upon which the Prayer of the sd. Petition did wholly depend, the Petitioners are therefore ordered to make a more particular Inquiry, so as that they may be able to inform this Board what the said Practice is, And then the Board will proceed to a further Consideration of the matter, And the Clerk is ordered to give the Petitioners a Copy of this Minute for their Direction herein.

The Secretary acquainted the Board, that some Indians were arrived in Town from Conestogoe, to wait upon the Governour & Council ; Whereupon, the Council was adjourned untill to morrow morning at nine o'clock, in order to receive the Indians.

At a Council held at Philadelphia, July the 20th, 1720.

PRESENT :

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
Isaac Norris, James Logan, Secretary.

PRESENT ALSO :

Conestogoe Indians: Tagoleless or Civility, Oyanowhachso, Sohais Connedechto's Son, Tayucheinjch.

Ganawese : Ousewayteichks or Capt. Smith, Sahpechtah, Meemeeivoonnook, Winjock's Son, George Waapessum, & John Prince.

Shawanese : Kenneope.

Edward Farmer, Sworn Interpreter.

The Secretary acquainted the Board, that the Indians present

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were sent by their Chiefs from Conestogoe, in pursuance of the Resolution they had taken at the Conference he had lately held with them there, of sending a message to the Governour of Virginia.

The Interpreter, by the Governour's order, told the Indians that the Governour was glad to see them and to hear of the Welfare of their People.

The Indians delivered two Belts of Wampum with a written Paper, which they say contains the whole of what they are ordered to deliver to the Governour and Council at this time.

The said Paper was read, and is as follows.

July the 16th, 1720.

To our Friends & Brothers, the Governour & James Logan, at Philada. These as to what hath been proposed by our Friend & Brother James Logan when here, of our sending to the Southward Governments to confirm a Peace; We are very willing to have and keep Peace, and therefore send a Belt of Wampum to confirm it, but we must leave it wholly to you to perfect the same. As to any of our People on this River going to the Southern parts about the same, it will doubtless occasion the Death of us, while the five Nations still follow the Practice of going thither to War, of whom at this time there is great numbers going that way; therefore, we plainly tell you, We know not what measures to take, but leave all to you, resolving to follow your Council, but sure we are to suffer for what we have already yeilded to do in the affair aforesaid as soon as the Sinnekaes come to know thereof, if not protected by you, for They will be enraged against us when they know that we are willing to be at Peace with those Nations, that they resolve to maintain War against, and will certainly cut us off as well as the back Christian Inhabitants; for they, we are sure, do not bear true affection to your Government, and Some of them are already very bold and impudent to the Christian Inhabitants and us also for their sakes, whom we are unwilling should have any Damage done by them if we can prevent it, and in real good will do certify the Government that be believe they will shortly have some Trouble with them if not timely prevented. Our Captain Tagoteless, and some others of our People comes with our Words to you, and this present Letter taken by his Interpretation, by our good Friend John Cartlidge, whom we could have been glad if he would have come himself and given you an account of matters, We are your true Friend & Brothers at Conestogoe.

Then the Council was adjourned, and the Indians ordered to attend at four o'clock in the afternoon.

—

EODEM DIE POST MERIDIEM.

Present, the same as before.

The Council being met, the Indians were called in, to whom the Governour spoke as follows, to viz:

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That nothing can be more acceptable to thisGovernment than that the Indians should live in Peace with all the Nations round them, but above all with those who are in ffriendship with the English Governmts. The Govr. had often seriously exhorted them to it, and they had engaged to go out no more to War, with which Engagements he had acquainted the Governours to the Southward, and more especially the Governour of Virginia, by Capt. Smith, who came from that Governour to the Northward, on purpose to engage the northern Indians to live in Peace with all his People and Friends. And the said Gentleman, Capt. Smith, they may well remember, was present with the Govr. at his first Conference with them at Conestogoe soon after his arrival, when they promised in that Treaty to go out to War no more.

That it was a very great Satisfaction to all Parties to find them thus engage themselves, tho' what was proposed to them was wholly for their own Benefit and Advantage. Captn. Smith carried this News with Gladness, and the Governour of Virginia and his People received it with Joy, every body believing they might surely depend on these assurances.

Yet notwithstanding all these, Some of their Young men had been unhappily prevailed on to go out against the same People. The Governour is very well pleased to hear by the Secretarys Report of what they lately said on that head at Conestogoe, that they condemn these proceedings, and excused themselves by the Influence the five Nations have over their People, and that the young men carried on by the Heat of Blood to martial Exploits, and to shew their manhood are difficullty restrained by the more sage advice of their Elders. But 'tis now hoped these young men, some of them having forfeited their Lives by their Disobedience to their Elders, are also as fully resolved most strictly to observe these present Engagements; And tho' the Governour really lies under some Disadvantages in the Representation he is now to make to the Governours of Virginia and Carolina, by reason of their having failed in their former, yet he will without delay acquaint these Governours with their renewed Resolutions, and give them all possible assurances from our Indians, that nothing in their power shall divert them from a strict Observance of what they have promised for the future, and as a binding proof of it according to the Custom of their Nations, shall convey these two Belts of Wampum as firm and inviolable Seals to all that they have said. These the Governour will convey to the Governour of Virginia with Letters in their Favour who sent them, and a particular account of their Country & Habitations, with all which the Governour of Virginia will undoubtedly take Care to acquaint all his Indians and People, and engage them for the future to consider our Friends as their Friends, and the Governour will endeavour to make them all as one People.

But as this will require some time, and all the Indians in those Southern Parts cannot be immediately acquainted with these messages,

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tho' the Governour intends to use all possible Dispatch. They must in the mean time take Care of themselves and keep out of the way of the Warriours paths, till a full and perfect Peace and good Understanding can be settled.

But after the Governour has thus proceeded in their Behalves, and in some measure pledges his Honour for them, They must not fail on any terms whatsoever, most strictly to make good their present Engagements against the Perswasions of all People whatsoever.

We are all Friends to the Five Nations and have a great Respect for them, and these cannot but be pleased to find that our Indians live in such Friendship with their English Neighbours, as to resolve also to live in Peace with all their Friends. Whenever any of these Minguays come amongst them, they must not fail to inform them that They and We are one People and not to be separated in Interest, and we desire that the Minguays also may be the same, and live with us as Brothers.

This being interpreted, it was ordered that They should be supplied with a Quarter Cask of powder, fifty pounds of Lead, five Gallons of Rum, with Bisket, Pipes, Tobacco, &c., for their Journey; In the mean time, that the Treasurer or Secretary should see them duly accommodated.

At a Council held at Philadelphia, August the 6th, 1720.

PRESENT:

The Honurable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
William Trent, James Logan, Secretary.
Isaac Norris,

Whereas, upon the Repeal of a late act of Assembly of this province, for establishing the several Courts of Judicature within the same, the Governour to prevent the failure of the Administration of Justice which might otherwise ensue thereon, found it necessary, by the Advice of this Board and Approbation of the Assembly, pursuant to the Powers granted by the Royal Charter to the Honourable Wm. Penn, Esqr., late Proprietor and Governour in Chief of this Province, his Heirs and Assigns, and to his and their Lieutenants or Deputies, to erect by virtue of his Commissions the several Courts of Law within this Province, which have been regularly held and Justice duly administered thereby; but there being a Necessity also, that a Court of Equity or Chancery should be held for the Releifo those who suffer under the Rigour of or cannot obtain their Right by the common Course of the Law, the Establishment of which Court of Equity does not appear practicable by the same methods with those of the Law, as being inconsistent with the Nature of a

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Chancery, as it is practised in all his Majestys Dominions as well in Europe as America.

The Governour therefore proposed this matter to the Consideration of the Assembly, at their meeting in May last, who thought fit to recommend it to the Governour to hold such a Court of Equity himself, with the assistance of the Council; Whereupon, He was further pleased to desire the Advice of this Board, Who having at a former Meeting taken the whole into their serious Consideration, and deliberately debated the Nature of the thing and the Security of the method, It is at length Resolved,

That it is the Opinion of this Board, that by virtue of the Powers granted by the Royal Charter to the late Proprietor, his Heirs and Assigns, and to his and their Lieutents. or Deputies, being regularly appointed, the present Governour William Keith, Esqr., safely may comply with the Desire of the Representatives of the ffreemen of this Province, signified to him by an unanimous Resolution of their House, dated at Philadelphia the 4th day of May last, And that the holding of such a Court of Chancery in the manner aforesaid, may be of great Service to the Inhabitants of this Colony, and appears agreeable to the practice which has been approved of in the neighbouring Governments.

But the Governour speaking to his own want of Experience in Judicial Affairs, and representing to the Board the great Addition of Attendance and Fatigue in the public Business which would be thereby laid upon him, He was pleased to add nevertheless, that considering the many marks the House of Representatives and this Board had shewn of their Confidence in him in this as well as divers other respects, He should not decline to serve the Publick in that Station, but insisted on this, that as no Court of Chancery could by the method proposed be held without him, So that He, on the other hand, should not fail of having a due assistance from the Council on their parts; And it was thereupon, at the Governours desire, established and declared.

That as often as the Governour is to sit in Chancery and hold a Court, All the members of Council in or near Philadelphia, shall be summoned to attend the Governour as his assistants upon that Bench, and that there shall not any Decree be pronounced or made in Chancery but by the Governour as Chancellor, with the assent and concurrence of any two or more of the Six eldest of the Council for the time being, And that those Six eldest Counsellors or assistants, or any of them, may be employed by the Governour as Masters in Chancery, as often as Occasion shall require.

And that the Inhabitants may have due notice of the said Court, it is ordered that A Proclamation be issued certifying all his Majestys Liege People of this Province, that for the more equal Distribution of Justice and the Conveniency of the Subject, a Court of Equity or Chancery will be opened by the Governour, at the Court House in

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Philadelphia, upon the 25th day of this instant, August, in order to hear and judge of all such matters within this province, as are regularly cognizable before any Court of Chancery, according to the Laws and Constitutions of that part of Great Britain called England, and that the said Court will be always open for the Relief of the Subject; Whereof his Majestys Judges of the Supreme Court, and the Justices of the inferiour Courts, and all others whom it may concern are to take Notice, and to govern themselves accordingly.

There was read a Petition for a Road from Philadelphia to Wickocoe, in these words.

To the Honourable the Governour & Council of the province of Pensilvania.

The Petition of William Carter, Clement Plumsted & Andrew Hamilton, pt. owners of several parcels of March and Swamp, lying between the Land of Wickocoe and the point opposite to Glocester, in West Jersey, in behalf of themselves & others, humbly shews,

That part of the said Marsh or Swamp being granted to sundry persons who are about to improve the same, and no public Road being yet laid out leading from Philadelphia to the said Marsh or Swamp, the Petitioners pray an Order of the Governour and Council for laying out a public Road from Philadelphia to the point aforesaid opposite to Glocester, where a fferry is proposed to be erected, which will very much conduce to the Ease and Advantage of his Majestys Subjects travelling that way, and to the owners of the said Swamp & low Grounds.

Sign'd by Wm. Carter, A. Hamilton, Clemt. Plumsted, Edward Roberts, John Cadwallader, Evan Owen, Geo. fitzwater.

Which being considered by the Board, the prayer of the said Petition is granted, and Samuel Preston, Wm. Carter, George Fitzwater, Benjamin Bankson, Jacob Taylor and James Steel, are appointed to lay out the said Road, and are ordered to make a Return thereof to this Board at next meeting of Council.

The Secretary laid before the Board an Accott. of the Charges of a Treaty held with the Indians at Conestogoe, the 27th day of June last, being Eight pounds four Shillings and Eight pence; as also an Accott. of Goods & provisions supplied the Indians at Philadelphia, by Order of this Board the 20th of July last, amounting to Eight pounds thirteen Shillings and five pence, the whole Charge being Sixteen pounds eighteen Shillings and one penny, from which deducting the presents received from the Indians to the value of ten pounds five Shillings, there remains due to the Secretary the Summ of Six pounds thirteen Shillings and one penny, which Accotts. being examined were allowed by the Board, and the Treasurer is ordered to pay the said Ballance to the Secretary forthwith.

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At a Council held at Philadelphia, August the 9th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill,	Samuel Preston,
William Trent,	Jonathan Dickinson,
Isaac Norris,	James Logan, Secretary.

The Secretary laid before the Board a Draught of the Proclamation ordered to be issued at last Council, which without any Alterations was approved, and ordered to be engrossed, sealed and published forthwith.

Samuel Preston presented the Return of the Road from Philadelphia to the point opposite to Glocester, in West Jersey, laid out by Order of this Board, the consideration whereof, upon the petition of Benjamin Vining of Philadelphia, mercht., praying to be heard before the said Road is confirmed, was referred to the next meeting of the Council, of which the Clerk is ordered to give the sd. Vining Notice.

At a Council held At Philadelphia, October the 4th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill,	Anthony Palmer,
William Trent,	Jonathan Dickinson,
Samuel Preston,	James Logan, Secretary.

The Governour having received from the several Sheriffs & Coroners of the respective Counties of this Province, Returns of the Elections of Persons to be presented to the Governour for his choice of Sheriff & Coroner respectively, for each County. He desired the Advice of the members present in his Nomination, which is as follows:

For Philadelphia City & County: Owen Roberts & David Evans being returned for Sheriffs, the first is appointed; For Coroners, Richard Walker & Merrick Davis being returned, Richard Walker is appointed.

For Chester County: Nicholas Fairlamb & John Crosby being returned for Sheriffs, Jno. Crosby is named; For Coroners, Jonas Sandeland & John Wade being Returned, the first is nominated.

For Bucks: John Hall & William Biles being returned for Sheriffs, John Hall is nominated; For Coroners, Jeffrey Pollard & Thomas Thweights being returned, the first is appointed.

Accordingly Commissions are ordered to the said persons for their respective Offices, the Sheriffs giving Security in the Rolls office as the Law directs.

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A motion being made for confirming the Road from Philadelphia to the point opposite to Gloucester, in West Jersey, lately laid out by Order of this Board, Benjamin Vining & Peter Evans attending were called in, And upon the humble Request of the said Benjamin Vining for himself, and Peter Evans in behalf of John Moore, Esquire, Owners of certain parcels of Land through which the said Road (according to the Survey & Return thereof made to this Board,) will run, the confirmation therefore is deferred untill the first meeting of the Council after the 10th Instant, whereof the Clerk is ordered to give the said Gentlemen Notice accordingly.

At a Council held at Philadelphia, November the 5th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

The Governour acquainted the Board, That upon Advice from his Excellency the Governour of New York, That Robert Moore, late of Philadelphia, had made his Escape out of New York Gaol, where he stood committed for stabbing John Gei, late of Philadelphia, Mercht., Hues & Cryes had been issued here after the said Robt. Moore, throughout the whole Government.

But now that the said John Gei was actually dead of his Wound, and it being suspected and talked as if the said Robert Moore lurked some where within this Government, with Intention to depart beyond Sea without the Reach of the Laws; the Governour was of opinion, That it was proper to issue a Proclamation for preventing, if possible, the said Robert Moores Escape from any part of this Government, And having caused one to be prepared accordingly, the same was read and agreed unto by the Board and ordered to be engrossed, sealed, published and printed forthwith.

EODEM DIE POST MERIDIEM.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Anthony Palmer,
Isaac Norris, James Logan, Secretary.

Present also, Andrew Hamilton, Attorney Genl. at the Govrs. Desire.

The Attorney General informed the Governour that two Criminals, which at the last Court of Oyer and Terminer, held at Philadelphia,

were convicted, viz: a Man (by name Edwd. Hunt,) for high Treason, having Counterfeited the Current Coin, and a Woman, (Anne Huson,) for Burglary, lay now in Philadelphia Gaol under Sentence of Death, but that no Execucon had been yet awarded that he knew of.

One of the Judges present observed, that the Governour being abroad when Sentence was pronounced, the Judges had delayed awarding the Execution to give the Criminals a reasonable time for making their Application to the Governour, lest they had anything to offer which could entitle them to any share of his Mercy, but the Governour declared that no such thing had yet been offered to him, and that it was his steady Resolution not to interpose his Authority or suspend the Execution of any legal Sentence, except when either a Certificat from the Judges, or other weighty Recommendation from this Board, should offer such Reasons to him as might convince his conscience that such an Interposition was prudent, Just or necessary.

The members differing in their Sentiments about the Circumstances of the condemned Criminals, and the Board being very thin, the Governour proposed an Adjournment to the 9th instant, and in the mean time that the Warrants for executing the Sentences which the Law had pronounced should be issued, since that could not intercept or hinder the Governour from shewing mercy, if any good Reasons could be offered at the next meeting of Council for his so doing; And the Council was adjourned to the ninth instant, at nine in the morning accordingly.

At a Council held At Philadelphia, November the 9th, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr., Governour.

Richard Hill, Jonathan Dickinson,
Samuel Preston, James Logan, Secretary.

Present also, Andrew Hamilton, Attorney Genl. at the Govrs. Desire.

The Governour acquainted the Board, that the Day before He had issued his Warrants for Executing the Sentence of Death against the Criminals mentioned at the last Council, And that the 19th instant being the Day appointed for the said Execution, there was sufficient opportunity given for an application from the Judges, if there was any thing of that kind to be offered.

It was again urged by some of the members, that Edward Hunts Crime (viz. High Treason for counterfeiting the current Coin,) being the first offence of that Nature, whereof any Person had been yet

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convicted in this Colony, it therefore seemed to claim some Compassion, but all agreed that there was nothing to be said in behalf of the Criminals former Character, personal merit or Behaviour. One of the Judges present seemed for the above Reason to incline that Hunt should be repreived, until the Kings Pleasure could be known, but declared at the same time, that his Compassion for the Criminals circumstances did not proceed from any Ground of Dissatisfaction with any part of the Evidence upon the Tryal, which appeared to him sufficient to infer Conviction and the legal Sentence that had been pronounced. Those who spoke on the other side urged the nature of the Crime, and the Necessity that there was in all civil Governments to make some public Examples, the want of any merit in the Criminal, and the very litle or no Service at all that a Reprieve to so miserable a Life could be to him.

The members present being equally divided in their Opinions, it was left to the Governour to do therein as he thought fit.

A Petition from Anne Huson, the other Criminal mentioned at last Council, under Sentence of Death for Burglary, was presented and read. It was generally observed, that the Criminals Behaviour shewed her to be a very weak ignorant Woman; That it was the first offence to which She had plead guilty, when many were of opinion that the Evidence for Burglary would scarce have amounted to Conviction. It was also observed, that her Crime was a growing Evil in the City of Philadelphia, which had but very lately been made Felony of Death, wherefore to make a proper Example of the Force of that Law would be of Use & Importance; However, this was also referred to the Governours Thoughts & Pleasures.

Upon the Prayer of Andrew Hamilton, Esqr., to the effect under written, It is Resolved,

That the Road from Philadelphia to the Point over against Gloucester, in West Jersey, lately laid out by Order of this Board, be, and it is hereby confirmed according to the Return thereof, made by the Persons appointed to survey and lay out the same, which said Return is in the following words.

Pursuant to the Order of Council hereunto affixed, We the persons therein named and appointed do certify, That on the 9th Day of the Sixth month August, Anno 1720, We have laid out a Public Road leading from the South End of the Second Street of the City of Philadelphia, to the Point in the Marsh or Swamp opposite to Gloucester, in West Jersey, the Course whereof is the same with the said Second Street, continued in Moyamensing Road to Wickacoe Lane End; Then leaving the said Road and runing south two Degrees Easterly two hundred perches to a point of fast Land below the House late of Peter Swanson; Then continuing the same course into the meadow perches; Then south 16 Degrees East through the Swamp and Cripple One hundred & Eighty perches to Little Hollanders Creek;

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Then crossing the said Creek and continuing the same Course through the Meadow Ground One hundred perches to Hay Creek; Then over the same and still continuing the same course, viz: South 16 Degrees East two hundred perches to a Swamp Oak, mark'd standing on the said point opposite to Gloucester; Then South East about ten perches to Low water mark, in the River Delaware.

SAML. PRESTON,
WM. CARTER,
GEO. FITZWATER,
BENJAMIN B. B. BANKSON,
JACOB TAYLOR,
JAMES STEEL.

At a Council held at Philadelphia, March the 22d, 1720.

PRESENT:

The Honble WILLIAM KEITH, Governour.

Richard Hill,
William Trent,
Isaac Norris,
Samuel Preston,
Anthony Palmer,
Jonathan Dickinson,
James Logan, Secretary.

Upon Consideration of a Petition this Day read at the Board, from sundry persons who call themselves the upper Inhabitants of the West side of Schuylkill, in these words.

To the Honorable William Keith, Esqr., Governour of the Province of Pensilvania and to His Honorable Council, The Petition of the upper Inhabitants on the West side of Schuylkill, humbly sheweth

That Whereas the Commissioners for the County of Chester, have attempted of late to make us pay taxes in the County of Chester, notwithstanding we have ever since our first Settlemt. paid our Taxes in the County of Philadelphia.

And your humble Petitioners having no Trade with Chester, and seeing it is impossible for us to have any tollerably convenient Road to Chester, by reason of Rocks and Mountains.

And considering that the County of Philadelphia, if bounded by Schuylkill, will not be above seven or Eight miles broad at this place by an indifferent Computation, and the County of Chester, if bounded by Schuylkill aforesaid, will be near fifty miles broad by the like computation.

And considering that we must carry the Product of our Labour to Market at or near Philadelphia, which is forty or fifty miles, to purchase money to pay our Taxes, and defray the several Charges we shall be incident to by public services if we be taken into Chester County, which will be a very great burthen upon us.

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The aforesaid Considerations your humble Petitioners hope are sufficient reason for us to pray your Honrs. that the Counties may be divided, And that if possible we may be (as heretofore) Inhabitants in the County of Philadelphia, tho' on the west side of Schuylkill; And your Petrs. as in Duty bound will ever pray, &c.

Signed by Israel Robeson, Francis Hughs, Henry Bell, John Sinclair, John Rumford, and about forty psons more.

It is ordered that the Surveyor General search his Office, and make Report to this Board of what appears from thence concerning the Division of the two Counties of Philadelphia & Chester from each other. Also, that He and James Steel report in like manner as far as they are capable, who or how many of the subscribers to the said Petition are seated on the west side of Schuylkill, and upon what Tracts of Land and how long they have been possessed of the same, upon which Report this Board may proceed further upon the Petition presented to them.

The Governour acquainted the Board, that there being frequent late Advices of the Plague & pestilential Distempers raging in several Countreys of Europe, And there being great Numbers of People daily imported into this Colony from Great Britain, Ireland, Germany and other parts, He thinks it a subject very worthy the serious Deliberations of this Board, to consider of some further means than the Law entituled, "An Act to prevent Sickly Vessels coming into this Government," has provided for preventing Sickly vessels arriving in this province from discharging their goods or passengers. And that in order thereunto He had caused the Draught of a Commission to be prepared, whereby Patrick Baird of Philadelphia, Chirurgeon, is authorized and required to go on Board all vessels arriving from Sea in any port of this Province, and to examine the State of the Health of the Mariners & Passengers aboard, and upon reasonable Cause of Suspicion of any pestilential or Contagious Distemper being aboard, to warn and require the master or Commander of such Sickly Ship or Vessel not to presume to land, or suffer to be landed any Goods or passengers from aboard the said Vessel, before such master or Commander has obtained the Governours Licence for so doing; And the said Commission being read and considered, was with some amendmt. approved. It being hereupon further observed by the Board, That without the appointment of such an officer, the aforementioned Law for preventing Sickly vessels coming into this Government was lame and defective, and could not answer its first Design and Intention.

The Governour further acquainted the Board, that having taken a Resolution last summer (as they were sensible) to visit the Governour of Virginia, in order to establish if possible a Peace and good understanding between the Indians of that Colony, and the parts adjacent to the Southward and the Indians of this Province, between whom divers Hostilities had been committed to the endangering the publick Peace of the Province; but being prevented by Sickness

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from undertaking that Journey as he had proposed, and thereby obliged to defer it to this Spring; He had now fully prepared for it, and intended (God willing) to begin his Journey tomorrow; That in the mean time the Care of the Government would lie upon this Board, That the Number of its Members being so much reduced that it was not easie to get a Quorum together, it would therefore be convenient as had been formerly proposed to make an Addition of some few members; He therefore recommended it to those present, (who are all the Members residing in the province that give their Attendance) to consider of two or three proper persons to be admitted before his Departure. The Board very much approved of the Governours intended Journey and heartily wished him success in it, And was then adjourned till tomorrow at nine in the morning.

At a Council held At Philadelphia, March the 23d, 1720.

PRESENT:

The Honourable WILLIAM KEITH, Esqr. Governour.

Richard Hill,
William Trent,
Isaac Norris,
Samuel Preston,
Anthony Palmer,
Jonathan Dickinson,
James Logan, Secretary.

The Members present yesterday having considered what the Governour had recommended to them in Order to an Augmentation of this Board, and having named to him in the Evening some persons for the Governours Choice, He now acquainted the Board, that He had directed Thomas Masters and Andrew Hamilton, two of the four who had been named to attend, Who being called in and informed of the Desire the Governour and all the Members had that they should join this Board, Andrew Hamilton, Attorney General of the Province accepted on this Condition, That He should not as a Member of Council forego any part of his Practice in the Law, on which He had his sole Dependance; And then Thomas Masters took and subscribed the several affirmations and Declarations injoined by the Acts of Parliament of England, to be taken by those called Quakers, as also an affirmation for the Discharge of his Duty in this Station, and Andrew Hamilton took the several oaths injoined by the said Acts, as also an Oath for the Discharge of his Duty as a member of Council, after which they took their places at the Board.

The Treasurer laid before the Board an accott. amounting to Eighteen pounds five Shillings and ten pence, expended upon the Indians in the years 1715 & 1716, which is referred to the Secretary, to be compared with his accotts. for those years allowed by the Council. And if upon Examination the Secretary finds the sd. accotts.

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now produced by the Treasurer to be just, and not formerlly allowed by the Council; It is ordered that the same be and is hereby allowed.

The Governour then informed the Board that He had nothing further to lay before them, than that they would take Care to keep all things as quiet as possible till his Return; That He doubted not They would avoid giving themselves or other People any Trouble that could be avoided; That He proposed to be back either at Philadelphia or New Castle the first week in May or thereabouts, And in the mean time wished them heartily well.

At a Council held At Philadelphia, March the 28th, 1721.
In the Governours Absence.

PRESENT:

Richard Hill, Thomas Masters,
Samuel Preston, James Logan, Secretary.
Jonathan Dickinson,

The Secretary laid before the Board a letter he had received from the Governour, Colonel Keith, dated at Chester in his Journey to Virginia, occasioned by his meeting Samuel Robins, who had been dispatched by the Governour about the middle of last month to Colonel Spotswood, Governour of Virginia, in order to obtain an Answer to the Message sent him by this Government, from the Indians of Conestogoe and others of this Province; Which Letter being read, the Secretary by the direction of the Board, drew up a Message to be forthwith dispatched to the Conestogoe Indians & others upon Sasquehanna in this province, as follows: That the Messenger sent by our Governour to the Governour of Virginia in order to obtain an Answer to the Message, and Tokens sent from and in behalf of the Indians by this Government was now returned, and had brought from the Indians of Virginia residing in that Government two Belts of Wampum, which are herewith sent them as a Promise and Assurance from the Indians of Virginia, that the said Indians will not for the future pass over Patowmeck River to the Eastward or Northward, or the high Ridge of Mountains extending along the Back of Virginia. Provided, that our Indians and These to the Northward shall not pass over Patowmeck into Virginia to the Southward, nor shall go over to the Eastward of the said Ridge of Mountains.

That this is the Message now sent by those Indians dwelling within the sd. Mountains and in Friendship with Virginia, but that our Governour continues his Journey to Virginia to see the Governour of that Country who is his great Friend, and the Governor of MaryLand, in Order to establish a firm Peace amongst all the Indians in Friendship with the Subjects and People of the Great King

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of England, and this Service to the Indians alone has led him so far from home from his Family & ffrds. in his own Province. In the mean time, 'tis expected that none of the Indians in Friendship with this Government shall go out to War against any Indians whatsoever who are in Friendship with the Subjects of England, but behave themselves peaceably and quietly to all their Neighbours without giving any offence.

And John Cartlidge, of Conestogoe, is desired to deliver the said Belts of Wampum to the Chiefs of the Indians on Sasquehannah, and to interpret this Message from the Indians of Virginia and from this Government, and to return their Answer to the Governour or to this Board by the first Opportunity after.

At a Council held at Philadelphia, April the 20th, 1721.

PRESENT:

Richard Hill, Thomas Masters,
Samuel Preston, James Logan, Secretary.
Jonathan Dickinson,

William Spafford, of Philadelphia, mariner, appeared before the Board and made Oath, that the Sloop Sarah, Burthen twenty two Tuns, himself Master, was built at Philadia., Anno 1721, and owned by his Maty's Subjects and no Foreigners, and had a Register for the said Sloop, signed by the Secretary in the presence and by order of the Board.

At a Council held at Philadelphia, May the 11th, 1721.

PRESENT:

Richard Hill, Thomas Masters,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

Joseph Redman, of Philadelphia, mercht., appeared before the Board, and upon his solemn affirmation according to Law, declared that the Sloop Little Joseph, Burthen fifteen Tuns, Thomas Glentworth, master, was built in Rhode Island, Anno 1719, (as appears by a former Regr. now cancelled) and wholly owned by himself & George Campion, of Philadelphia, And had a Regr. for said Sloop, signed by the Secretary in the presence and by Order of the Board.

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At a Council held at Philadelphia, June the 3d, 1721.

PRESENT.

The Honourable Sir WILLIAM KEITH, Baronet, Governour.

Richard Hill,	Anthony Palmer,
William Trent,	Jonathan Dickinson,
Isaac Norris,	Andrew Hamilton,
Samuel Preston,	James Logan, Secretary.

This being the first meeting of the Council since the Governours Return from Virginia, the Governour took occasion to thank the Board for their Service to the Government in his Absence, with some Expressions of his Satisfaction in meeting with his Council at this time, and finding the publick affairs of the Province in perfect good Order & Tranquility; Whereupon, all the members present very heartily and unanimously congratulated him upon his Arrival in his own Government, And several of them took this occasion particularly to acknowledge the Governours constant Care and Concern for the Interest, Honour and public Peace of the province, for whose Service he had undertaken and now happily accomplished so long and expensive a Journey. The Secretary reported the Minute of Council and Message to the Indians at Conestogoe, the 28th of March last, occasioned by the Governours Letter to him from Chester, with the Governour of Virginia's Answer, to the Express concerning Indian affairs sent by Saml. Robins, last February.

The Governour acquainted the Board, that having formerly at several times declared to this Board the Reasons and Necessity of his Journey to Virginia, and the same being undertaken with their Approbation, He needed only tell them, that He had several Conferences with Colonel Spotswood, Governour of that province, concerning Indn. affairs, and had found him very ready and desirous to contribute all that He is able towards Settling a firm Peace and Friendship between our Indians and those under the Protection of that Government, and all the other Indians to the Southward in Alliance or Amity with them. That the Substance of his Negotiation with that Governour being contained in a Memorial which he had presented to him in Virginia, and in the said Governours Answer thereto, He had caused both to be published for the Satisfaction of the People of this provice; Yet nevertheless, He thinks it proper that the same be read in the presence of the Council, and remain upon the Minutes of this Board.

Which said Memorial & Answer thereto were read accordingly, and are as follows.

To His Excellency Colonel Spotswood, Governour of Virginia, &c.

The Memorial of Wm. Keith, Governour of Pensilvania.

SIR,

Having duly considered your Letter of the 6th of last March in

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Answer to my Express, wherein you are pleased to say, That the Tributary Indians of Virginia have given solemn assurances unto your Govmt., that they will not for the future pass Patowmeck River nor the high Ridge of Mountains extending along the Back of Virginia; Provided, that the Indians to the Northward of Patowmeck and to the Westward of those Mountains will observe the same Limits, and that this is the Proposition signified to the Pennsylvania Indians seated upon Sasquehannah River, by the two Belts then sent from the aforesaid Virginia Tributaries, which I received.

Hereupon I take leave to inform you Sir, that the same Ridge which you call the Virginia or Appalachy mountains, extends itself Northward through the Province of Pennsylvania into the Government of New York, and that all our Indians upon the River Sasquehannah are settled to the Eastward of these mountains; Wherefore, the Condition you propose seems to be more applicable to the New York Indians, known by the name of the five Nations who live to the Westward of that Ridge, than it can be to ours who are seated amongst our own Settlements to the Eastward of it, and who seldom or never pass the River Patowmeck, unless it be when they go a hunting for Fishers towards the branches of the Wabash and Ohio, which they commonly do in the Fall of the year, and do not return before the month of May following.

I would further represent to you Sir, that the Belts which I sent to you last August from our Sasquehanna Indians, did not only mean to secure a perfect Peace and good understanding between them and the Virginia Tributaries, but also between them and all or any other Indian Nations to the Southward, who are in Amity with the Virginia Tributaries and hold a friendly correspondence with your Government. So that as often as you have any opertunity either of renewing former Treaties, or of making new ones with the Cattawbras, Cherrykoes or any other Southern Nation, if you will please particularly to mention and include the Pensylvania Indians upon Sasquehannah seated to the Eastward of the above Ridge of Mountains, the Province of Pensylvania will not only most gratefully acknowledge the favor of your Countenance & Protection, but also will readily concur to bear a reasonable proportion of the Charge which you may be at in accomplishing such Treaties.

You very well know Sir, That Pensilvania which is three degrees in breadth and extends five degrees West of the River Deleware, must border upon his Matys Dominion of Virginia to the Westward of MaryLand, and upon New York to the Northward of New Jersey. So that it is no less the interest of so small a Colony as Pensilvania, than it is unquestionably their duty to Cultivate a perfect friendship and constant agreement with two such powerful and rich neighbours, whose protection we are encouraged to hope for, not only as we are all dutiful and loyal subjects to the same most gracious Sovreign, but also as having the same end in view to maintain and promote as much as in us lies, the British Interest and his Majestys Dominion on this large Continent.

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These Sentiments Sir, Joyn'd to a most perfect Regard and Esteem for your pson and character, have brought me at this time to wait upon you here, and if I may be so happy to have my honest Intentions for his Majestys Service, well received and approved by your Excellency and the Honorable Gentlemen of his Majestys Council of this ancient Colony and Dominion.

I shall return to Pensilvania with inexpressible Satisfaction to myself, as well as a general contentment to the good People of that Province.

W. KEITH.

Williamsburg, April 22nd, 1721.

To his Excellency Sir William Keith, Baronet, Governour of the Province of Pensilvania.

The Answer of the Governour of Virginia to the Memorial in behalf of the Indians under the Goverment of Pensilvania.

SIR,

After reading this day in Council the representation which I had the Honr. to receive Yesterday from your Hands, I take occasion to assure you that it contains nothing but what is entirely agreeable to this Government, and am glad to observe that a person of your penetration makes no other objection to the proposition sent hence, than the Mistake which I seen by the general words of my Letter to lay under as to the situation of your Sasquehanna Indians, however, whether they be settled on the East or the West side of the Mountains, still I think the Bounds proposed may serve as proper Limits, even between your and our Indians, for if neither of them cross Patowmeck River they cannot in their several courses come at one another, without passing the high Ridge of Mountains which is to be their Boundary where that River ceases, and in this sense only you will be pleased to understand what I had the Honor to propose in my letter of the 6th of last month. As during my administration here, this Government has in all its Negotiations with the Indians regarded equally with its own the safety of its neighbours; So you will do us the Justice to be assured, that whenever a favorable oppertunity shall offer for future Treaties with the Cattawbras, Chirokees and other Southern Indians, this Governmt. will in a more particular manner regard the interests of your province and the Security of the Indians settled under its Protection.

The Governour of Virginia will always retain the like Sentiments with you, that the subjects of the same Sovreign however divided into distinct Governments ought still to be united in Affection to each other, and will therefore never be wanting in any offices of Friendship and Benevolence towards the Province of Pensilvania, being intirely satisfied that the same Principles of Duty and Loyalty to our Sovereign, and the same views to promote and extend the British Interest & Dominion on this Continent will more and more increase

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the Bonds of mutual Friendship between these two Colonies, and that when the wish'd for time shall come that the settlements of both shall extend so far Westward as to border on each other, the Inclinations of both Governments will still be proportioned to their power to assist one another.

It remains Sir, that I assure you on my part of the Pleasure I have in the occasion which has brought you hither at this time, whereby an oppertunity is given me to renew to you the professions of a true Respect and Friendship, to testify my Readiness to concur with you in promoting his Majestys Service, and to give you proofs of my sincere Inclinations to contribute whatever is in my power to the service of the province under your Government.

A. SPOTSWOOD.

Williamsburg, April 25th, 1721.

Samuel Robins accott. of Expenses in his Journey to Virginia, in February last, for the service of this Government, being £—, with — days Wages for himself and Horse, at 5s. per Day by agreement, making in all ——, is now laid before the Board; Whereupon, it is ordered that the Treasuer do forthwith pay to the Secretary five pounds advanced by him to the said Robbins at his setting out for Virginia, and to the said Robins so much more of his said accott. as the Secretary shall think reasonable to be allowed him.

The Governour acquainted the Board that He had yesterday received an Express from Conestogoe Indians, intimating that they were certainly informed of some Deputys from the five Nations being on their Journey to Conestogoe, in order to treat with this Government.

Whereupon it is the opinion of the Board, that the Resolution to be taken upon this Message be deferred till the Governour is informed of the Arrival of the said Indians of the five Nations at Conestogoe. In the meantime, the Secretary is desired to prepare a proper Message to be sent to the Conestogoe Indians, to acquaint them of the Governour's Return from Virginia, and to inform them particularly of his Negotiation wt. that Govmt. in their Behalf. The Governour communicated to the Board, some part of a Letter from his Excellency the Governour of New York, dated at Burlington, April 26th, 1721, which with the Copy of the Instruction whereunto it relates were read, being as follows:

Burlington, April 26th, 1721.

Dear Sir,

Inclosed I send you my last accounts from Albany, and the Copy of that Instruction by which I have Ground to make a circular Demand for repairing and increasing the Fortifications of the ffrontier of New York. I have sent the same to Colonel Spotswood & Colonel Calvert, and must now recommend it to you to provide the three hundred and fifty pounds which the King has made the Quota of your Province, and to transmit it to New York, in Order to be applied to that Service.

W. BURNET.

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To his Excellency William Burnet, Esqr., Governour of the Province of New York.

Instruction 91. Whereas it has been thought requisite, that the general Security of our Plantations upon the Continent of America, be provided for by a Contribution in proportion to the respective Abilities of each Plantation; And whereas, the Northern Frontiers of the Province of New York being the most exposed to an Enemy, do require an extraordinary Charge for the erecting and maintaining of Forts necessary for the Defence thereof; And whereas, Orders were given by King William the third for the advancing of £500 Sterling towards a Fort in the Onondage Country, and of two thousand pounds Sterling towards the rebuilding of the Fort at Albany & Schenectady. And likewise, by Letters under his royal Sign manual directed to the Governours of divers of the Plantations, to recommend to the Councils and general Assemblies of the said Plantations, that they respectively furnish a proportionable Summ towards the Fortifications on the Northern Frontiers of our said province of New York, viz:

Rhode Island & Providence Plantation,	£150
Conneticutt,	450
Pensilvania,	350
MaryLand,	650
Virginia,	900

And whereas, We thought fit to direct that you also signify to our Province of Nova Cesarea or New Jersey, that the Summs which we have at present thought fit to be contributed by them, (if not already done) in proportion to what has been directed to be supplyed by our other Plantations as aforesaid, are £250 Sterling for the Division of East New Jersey and £250 Sterling for the Division of West New Jersey, you are therefore to inform yourself what has been done therein and what remains further to be done, and to send an Account thereof to us and to our Commrs. for Trade & Plantations as aforesaid.

Upon a full consideration of the matter, it was observed, That this Instruction appears to be grounded on those Letters from the late King William, directed about twenty five years agoe, under his Sign manual to the several Governours of the provinces or Colonies on this Continent mentioned in the said Instruction; And that an Instruction of the very same Tenour was given to the Lord Cornbury, together with his Commission from the said King William, for the Government of the Province of New York; That the same Instruction has ever since been continued (as the Board is informed) to the other succeeding Governours of that Colony; That it appears from the Instruction itself now laid before the Board, that the Intention of it is not that any Demand should be now made on this province, but only that it should be inquired into how far the aforesaid orders of King William have been complied with.

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At a Council held at Philadelphia, June the 17th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Jonathan Dickinson,
Isaac Norris,	Thomas Masters,
Samuel Preston,	James Logan, Secretary.

The Governour acquainted the Board, That at the last meeting of the Council, the Gentlemen then present may remember He communicated them some Advices he had received from Conestogoe, that some deputies of the ffive Nations were on their Journey thither in order to treat with this Government; That the same Day the Secretary, by the Governours order, had sent an Express to John Cartlidge, requiring him to inform the Governour immediately upon the Arrival of the said Indians at Conestogoe, and likewise to endeavour to inform himself particularly of their Business with this Government, and in the Name and by order of the Governour & Council, to invite them to treat with us at Philadelphia. In obedience whereunto John Cartiledge, by an Express arrived here this morning, acquaints the Govr. of the Arrival of the said Deputies at Conestogoe, "That He had entertained them at his House, and moved their Coming to treat with the Governour at Philadelphia, which they absolutely deny; That they seem very reserved in discovering any part of their Business with this Government, until they meet with the Governour himself at Conestogoe, whither they desire him to come with all convenient speed.

Whereupon the Governour declared his opinion, That seeing a Considerable number of the Chiefs & others of the said Indians of the ffive Nations were actually come to Conestogoe, and having been invited to Philadelphia had positively refused to come any nearer than Conestogoe, and therefore press to meet the Governour there in order to treat with him; He for his part thinks it necessary for the Service of the Colony, that this oppertunity of treating with the said Indians should by all means be embraced; Nevertheless, being resolved to be governed in this matter by the Advice and opinion of this Board, He proposes and leaves it wholy to their Consideration, Whether the Service which is reasonable to be expected from a treaty with those Nations at this time will be a sufficient Equivalent to compensate the Charge wherewith the Governours Journey to Conestogoe, and the Gentlemen of the Council that must accompany him thither, will necessarily be attended.

Which being fully considered and largely debated by the Board, every member present having thereupon given his sentiments, It is resolved and declared to be the unanimous opinion of this Board, That seeing it is the Practice of the Government of New York to treat with Indians of those Nations at Albany, which lies at a greater Distance from New York than Conestogoe does from this place; And

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that the said Indians cannot be perswaded to come down to Philadelphia; And considering likewise, that the Governours Zeal and Inclination to serve the Governmt. outweighs all the objections naturally arising from the extreme Heat of the Season and other Inconveniencies of so fatiguing a Journey. These things being duly considered, and the Board having returned the Governour their thanks for this Mark of his Care of the public affairs of the Province, do unanimously declare their opinion, That it will very much conduce to the service and peace of this Government, That the Governour and such and so many Members of this Board as he shall nominate do undertake a Journey to Conestogoe, in order to treat with the Deputies of the ffive Nations now there, as they have desired; Whereupon, the Governour named Richard Hill, Jonathan Dickinson, Colo. French and the Secretary, to accompany him in his Journey and assist him in the said Treaty with the ffive Nations, And it is concluded that they begin their Journey on Monday Morning, being the 3d of July.

CONESTOGOE, July the 5th, 1721.

The Governour arrived here this Day at Noon, and in the Evening went to Captn. Civility's Cabin, where four Deputies of the five Nations, and some few more of their People came to see the Governour, who spake to them by an Interpreter to this purpose, viz:

That this being the first time that the five Nations had thought fit to send any of their Chiefs to visit him; He had come a great way from home to bid them welcome, That He hoped to be better acquainted and hold a further Discourse with them before he left the Place.

They answered, That they were come a long way on purpose to see the Governour and speak with him; That they had heard much of him and would have come here before now, but that the Faults or mistakes committed by some of their young Men had made them ashamed to shew their Faces, but now that they had seen the Governours Face, they were well satisfied with their Journey whether any thing else was done or not.

The Governour told them, That to morrow morning he designed to speak a few words to his Brothers & Children, the Indians of Conestogoe and their friends upon Sasquehanna, and desired that the Deputies of the five nations might be present in Council to hear what is said to them.

At a Council held at Conestogoe, July the 6th, 1721.

PRESENT:

The Honorable Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,	Colonel John ffrench,
Caleb Pusey,	James Logan, Secretary.
Jonathan Dickinson,	

The Governour Spoke to the Conestogoe Indians, as follows:

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My Brothers & Children,

So soon as you sent me Word That your near Friends and Relations the Chiefs of the ffive Nations, were come to visit you, I made haste and am come up to see both you and them, and to assure all the Indians of the Continuance of my Love to them.

Your old Acquaintance and true Friend, the Great William Penn, was a wise man, and therefore he did not approve of Wars among the Indians whom he loved, because it wasted and destroyed their People, but always recommended Peace to the Indians as the surest way to make them rich and strong by increasing their Numbers.

Some of you can very well remember since William Penn and his Friends came first to settle amongst you in this Country, It is but a few years and like as yesterday to an old man, Nevertheless by following that Great Man's peaceable Councils this Government is now become wealthy and powerful in great Numbers of People, And tho' many of our Inhabitants are not accustomed to war and dislike the Practice of mens Killing one another, yet you cannot but know I am able to bring several thousands into the Field well armed, to defend both your People and ours from being hurt by any Enemy that durst attempt to invade us; However, We do not forget what William Penn often told us, That the Experience of old age, which is true Wisdom, advises Peace, and I say to you, that the wisest man is also the bravest man, for he safely depends on his Wisdom, and there is no true Courage without it. I have so great a Love for you, my dear Brothers, who live under the Protection of this Government that I cannot suffer you to be hurt no more than I would my own children; I am but just now returned from Virginia, where I wearied myself in a long Journey both by Land and Water, only to make Peace for you my children, that you may safely hunt in the Woods without Danger from Virginia and the many Indian nations that are at Peace with that Government. But the Governor of Virginia expects that you will not hunt within the Great Mountains on the other side of Patowmeck River, being it is a small Tract of Land which he keeps for the Virginia Indians to hunt in, And He promises that his Indians shall not any more come on this side Patowmeck, or behind the Great Mountains this way to disturb your hunting; And this is the Condition I have made for you, which I expect you will firmly keep, and not break it on any Consideration whatsoever.

I desire that what I have now said to you may be interpreted to the Chiefs of the five Nations present, For as you are a part of them, There are in like manner one with us as you yourselves are, and therefore our Councils must agree and be made known to one another, For our Hearts should be open that we may perfectly see into one another's Breasts. And that your Friends may Speak to me freely, tell them I am willing to forget the mistakes which some of their young men were guilty of amongst our people; I hope They

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will grow wiser with age, any hearken to the grave counsels of their old men whose Valour we esteem because they are wise; But the Rashness of their young men is altogether Folly.

At a Council held at Conestogoe, July the 7th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Colonel John ffrench,
Caleb Pusey,	James Logan, Secretary,
Jonathan Dickinson,	with divers Gentlemen.

PRESENT ALSO:

The Chiefs or Deputies sent by the five Nations to treat with this Governmt., viz:

Sinnekaes Nation:	Onondagoes Nation:	Cayoogoes Nation:
Ghesaont,	Tannawree,	Sahoode,
Awennool,	Skeetowas,	Tchehuhque.

Smith, the Ganawese Indian Interpreter from the Mingoe Language to the Delaware; John Cartlidge and James Le Tort, Interpreters from the Delaware into English.

Ghesaont, in the Name and on the behalf of all the five Nations, delivered himself in speaking to the Governour, as follows:

They were glad to see the Governour and his Council at this place, for they had heard much of the Governour in their Towns before they came from home, and now they find him to be what they had then heard of him, Viz: their Friend and Brother, and the same as if William Penn were still amongst them.

They assure the Governour and Council that they had not forget William Penns Treaties with them, and that his advice to them was still fresh in their memories.

Though they cannot write, yet they retain every thing said in their Councils with all the Nations they treat with, and preserve it as carefully in their memories as if it was committed in our method to Writing.

They complain that our Traders carrying Goods and Liquors up Sasquehanna River some times meet with their young People going out to war, and treat them unkindly, not only refusing to give them a Dram of their Liquor, but use them with ill Language and call them Dogs, &c.

They take this unkindly, because Dogs have no sense or understanding; Whereas they are men, and think that their Brothers should not compare them to such Creatures.

That some of our Traders calling their young men by those Names, the young men answered, if they were Dogs then they might

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act as a such; Whereupon, they seized a Kegg of their Liquor and run away with it.

N. B. This seems to be told in their artful way to excuse some small Roberies that had been committed by their young people.

Then laying down a Belt of Wampum upon the Table, He proceeded and said,

That all their Disorders arose from the use of Rum and Strong Spirits which took away their sense and memory; That they had no such Liquors amongst themselves, but were hurt with what we furnished to them and therefore desired that no more of that sort might be sent amongst them.

He presented a Bundle of drest Skins and said,

That the five nations faithfully remember all their ancient Treaties, and now desire that the Chain of Friendship between them and us may be made so strong as that none of the Links can never be broken.

Presents another Bundle of raw Skins and observes,

That a Chain may contract Rust with lying and become weaker; Wherefore, he desires it may now be so well clean'd as to remain brighter and stronger than over it was before.

Presents another parcel of Skins and says,

That as in the Firmament all Clouds and Darkness are removed from the Face of the Sun, so they desire that all Misunderstandings may be fully done away; So that when they who are now here shall be dead and gone, their whole People with their Children & Posterity may enjoy the clear Sun Shine of Friendship with us for ever, without any thing to interpose and obscure it.

Presents another Bundle of Skins and says,

That looking upon the Governour as if William Penn was present they desire, That in case any disorders should hereafter happen between their young people and ours, We would not be too hasty in resenting any such Accident, untill their Council and ours can have some oppertunity to treat amicably upon it, and so to adjust all matters as that the Friendship between us may still be inviolably preserved.

Presents a small parcel of drest Skins and desires,

That We may now be together as one people, treating one anothers Children kindly and affectionately on all occasions.

He proceeds and says,

That they consider themselves in this Treaty as the full Plenipotentiaries and Representatives of the ffive nations, and they look upon the Governour as the Great King of England's Representative, and therefore they expect that every thing now stipulated will be made absolutely firm and good on both sides.

Presents a Bundle of Bear Skins and says,

That having now made a firm League with us as becomes our Brothers, they complain that they get too little for their Skins &

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ffurrs so as they cannot live by their hunting, They desire us therefore to take compassion on them and contrive some may to help them in that particular.

Presenting a few ffurrs, he Speaks only as from himself to acquaint the Govr., That the five Nations having heard that the Governour of Virginia wanted to speak wt. them. He himself with some of his Company intend to proceed to Virginia, but do not know the way how to get safe thither.

At a Council held at the House of John Cartlidge, Esqr. near Conestogo, July 8th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Col. John French,
Jonathan Dickinson, James Logan, Secretary.

The Governour desired that the Board would advise him as to the Quantity and kind of the presents that must be made to the Indians in Return to theirs, and in Confirmation of his speech to them; Whereupon it was agreed, That twenty five strowd Match Coats of two yards each, One hundred wt. of Gun powder, two hundred of Lead, with some Bisket, Tobacco and Pipes, should be delivered as the Governour's Present to the five Nations; And the same being prepared accordingly, the Council was adjourned to Conestogoe, the Place of Treaty.

At a Council held at Conestogoe, July the 8th, 1721. Post Meridiem.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

And the same members as before, with divers Gentlemen attending, the Govr. And the Chiefs of the Five Nations being all seated in Council, and the Presents laid down before the Indians.

The Governour spoke to them by the Interpreters in these Words.

My Friends & Brothers:

It is a great satisfaction to me that I have this oppertunity of speaking to the Valiant and wise five Nations of Indians, whom you tell me you are fully empowered to represent. I treat with you therefore as if all these Nations were here present, And you are to understand what I now say to be agreeable to the mind of our Great Monarch George the King of England, who bends his care to establish Peace amongst all the mighty nations of Europe, and unto whom all the people in these parts are as it were but like one Drop out of a

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Bucket, So that what is now transacted between us must be laid up as the words of the whole Body of your People and our People, to be kept in perpetual Remembrance. I am also glad to find that you remember what William Penn formerly said to you; He was a great and a good man, his own People loved him; He loved the Indians, and they also loved him, He was as their Father, He would never suffer them to be wronged, Neither would he let his people enter upon any Lands untill he had first purchased them of the Indians; He was just, and therefore the Indians loved him.

Though he is now removed from us, yet his children and people following his Example will always take the same measures, So that his and our posterity will be as a long chain of which He was the first Link, and when one link ends another succeeds, and then another, being all firmly bound together in one strong chain to endure for ever.

He formerly knit the Chain of Friendship with you as the Chief of all the Indians in these parts, and lest this chain should grow rusty you now desire it may be scowred and made strong, to bind us as one People together; We do assure you it is and has always been bright on our side, and so we will ever kept it.

As to your complaint of our Traders, that they have treated some of your young men unkindly, I take that to be said only by way of Excuse for the Follies of your People, thereby endeavouring to perswade me that they were provoked to do what you very well know they did, But as I told our own Indians two days ago, I am willing to pass by all these things. You may therefore be assured that our People shall not offer any Injury to yours; or if I know that they do, they shall be severely punished for it, So you must in like manner strictly command your young men that they do not offer any Injury to ours; For when they pass through the utmost skirts of our Inhabitants, where there are no People yet settled but a few Traders, they should be more carful of them as having seperated themselves from the Body of their Friends, purely to serve the Indians more commodiously with what they want.

Nevertheless if any little disorders should at any time hereafter arise, We will endeavour that it shall not break or weaken the Chain of Friendship between us; To which End if any of your People take offence, you must in that case apply to me or to our Chiefs; And when We have any cause to complain, We shall as you desire apply to your Chiefs by our friends the Conestogoe Indians, but on both sides we must labor to prevent every thing of this kind as much as we can.

You complain that our Traders come into the path of your young men going out to War, and thereby occasion Disorders amongst them, I will therefore, my Frds. and Brothers, speak very plainly to you on this Head.

Your young men came down Sasquehanna River and take their

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Road through our Indian towns and Settlements, and make a path between us and the People against whom they go out to War; Now you must know, that the Path this way leads them only to the Indians who are in alliance with the English, and first to those who are in a strict League of Friendship with the great Governour of Virginia, Just as these our Friends and Children who are settled amongst us are in League with me and our People.

You cannot therefore make War upon the Indians in League with Virginia without weakening the Chain with the English; For as W would not suffer these our Friends and Brothers of Conestogoe ,and upon this River, to be hurt by any persons without considering it was done to our selves; So the Governour of Virginia looks upon the Injuries done to his Indian Brothers and ffriends as if they were done to himself; And you very well know that though you are five different Nations yet you are but one People, so as that any wrong done to one Nation is received as an Injury done to you all.

In the same manner and much more so it is with the English, who are all united under one great King, who has more People in that one Town where he lives, than all the Indians in North America put together.

Your are in a League with New York as your ancient Friends and nearest Neighbours, and you are in a League with us by Treaties often repeated, and by a Chain which you have now brightened. As therefore all the English are but one People you are actually in League with all the English Governments, and must equally preserve the Peace with all as with one Government.

You pleased me very much when you told me that you were going to treat with the Govr. of Virginia. Your Nations formerly entered into a very firm League with that Govmt., and if you have suffered that Chain to grow rusty it is time to scour it, And the ffive Nations have done very wisely to send you there for that purpose.

I do assure you, the Governour of Virginia is a great and good Man; He loves the Indians as his Children and so protects and defends them, for he is very strong, having many thousand Christian Warriours under his Command, whereby he is able to assist all those who are in any League of Friendship with him. Hasten therefore, my Friends, to brighten and strengthen the Chain with that great Man, for he desires it and will receive you kindly. He is my great and good Friend, I have been lately with him, And since you say you are Strangers, I will give you a Letter to him to inform him of what we have done, and of the good Design of your Visit to him and to his Country.

My Friends and Brothers: I told you two Days agoe that We must open our Breasts to each other, I shall therefore, like your true Friend, open mine yet further to you for your Good.

You see that the English, from a very small People at first in these parts, are by Peace amongst themselves become a very great

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People amongst you, far exceeding the Number of all the Indians that we know of.

But while We are at Peace the Indians continue to make War upon one another, and destroy each other, as if they intended that none of their People should be left alive, by which means you are from a great People become a very small People, and yet you will go on to destroy your selves.

The Indians of the South, tho' they speak a different Language, yet they are the same People and inhabit the same Land with those of the North, We therefore cannot but wonder how you that are a wise People should take Delight in putting an End to your Race, The English being your true Friends labour to prevent this. We would have you strong as a part of our selves, For as our Strength is your Strength so we would have yours to be as our own.

I have perswaded all my Brethren in these parts to consider what is for their Good, and not to go out any more to War, but your young men as they come this way endeavour to force them, and because they incline to follow the Counsels of Peace and the Advice of their true Friends, your People use them ill and often prevail with them to go out to their own destruction. Thus it was that this Town of Conestogoe lost their good King not long agoe, and thus many have been lost, Their young children are left without Parents, their Wives without Husbands, the old men contrary to the Course of Nature mourn the Death of their young, the People Decay and grow weak, We loose our dear friends and are afflicted, and this is chiefly owing to your young men.

Surely you cannot propose to get either Riches or Possessions by going thus out to War; For when you kill a Deer you have the Flesh to eat and the skin to sell, but when you return from War you bring nothing home but the Scalps of a dead man who perhaps was Husband to a kind wife, And Father to tender children who never wronged you, tho' by loosing him you have robbed them of his Help and Protection, and at the same time got nothing by it.

If I were not your true Friend I would not take the Trouble of saying all these things to you, which I desire may be fully related to all your People when you return home, that they may consider in time what is for their own Good; And after this if any will be so madly deaf and blind as neither to hear nor see the Danger before them, but will still go out to destroy and be destroyed for nothing, I must desire that such foolish young men will take another path and not pass this way amongst our People, whose Eyes I have opened, and they have wisely hearkened to my Advice. So that I must tell you plainly, as I am their best Friend, and this Government is their Protector and as a Father to them. We will not suffer them any more to go out as they have done to their Destruction. I say again, We will not suffer it for we have the Counsel of Wisdom amongst us and know what is for their Good, For tho' they are weak yet they

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are our Bretheren, We will therefore take care of them that they be not misled with ill Council; you mourn when you lose a Brother, we mourn when any of them are lost, to prevent which They shall not be suffered to go out as they have done to be destroyed by war.

My Good Friends & Brothers: I give you the same Counsel and earnestly desire that you will follow it, since it will make you a happy people. I give you this advice because I am your true Friend, but I much fear you hearken to others who never were nor never will be your Friends. You know very well that the French have been your Enemies from the Begining, and tho' they Peace with you about two and twenty years agoe, yet by subtle Practices they still endeavour to ensnare you. They use Arts and Tricks and tell you Lies to deceive you, and if you would make use of your own Eyes and not be deluded by their Jesuits and Interpreters; you would see this yourselves, For you know They have had no Goods of any Value these several years past, except what has been sent to them from the English of New York, and that is now all over. They give fair Speeches instead of real services, and as for many years they attempted to destroy you in War, so they now endeavour to do it in Peace; For when they perswade you to go out to war against others, it is only that you may be destroyed yourselves, which we as your true Friends labour to prevent, because we would have your Numbers increased that you may grow strong, and that we may be all strengthened in ffriendship and Peace together.

As to what you have said of Trade, I suppose the great Distance at which you live from us has prevented all commerce between us and your People; We believe, Those who go into the Woods and spend all their time upon it endeavour to make the best Bargains they can for themselves; So on your part you must take Care to make the best Bargain you can with them, but we hope our Traders do not exact, ffor We think that a Stroud Coat or a pound of powder is now sold for no more Buck Skins than formerly; Beaver indeed is not of late so much used in Europe, and therefore does not give so good a price, and We deal but very little in that Commodity. But Deer Skins sell very well amongst us, and I shall always take care that the Indians be not wronged, but except other measures be taken to regulate the Indian Trade every where, the common methods used in Trade will still be followed, and every man must take care of himself, for thus I must do myself, when I buy any thing from our own People, if I do not give them their price they will keep it for we are a free People. But if you have any further Proposals to make about these affairs I am willing to hear and consider them, for 'tis my Desire that the Trade be well regulated to your Content.

I am sensible Rum is very hurtful to the Indians; we have made Laws that none should be carried amongst them, or if any were, that it should staved and thrown upon the Ground, and the Indians have been ordered to destroy all the Rum that comes in their way,

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But they will not do it, they will have Rum, and when we refuse it they will travel to the neighbouring provinces and fetch it; Their own Women go to purchase it, and then sell it amongst their own People at excessive rates. I would gladly make any Laws to prevent this that could be effectual, but the Country is so wide, the woods are so dark and private, and so far out of my sight, that if the Indians themselves do not prohibit their own People there is no other way to prevent it; For my part, I shall readily Joyn in any measures that can be proposed for so good a purpose.

I have now, my Friends & Brothers, said all that I think can be of any service at this time, and I give you these things here laid before you to confirm my words, viz: five Stroud Coats, twenty pound of powder, and forty pound of Lead for each of the five Nations; that is, twenty five Coats, One Hundred Weight of Powder and two Hundred of Lead in the whole, which I desire may be delivered to them, with these my words in may Name and on behalf of this province.

I shall be glad frequently to see some of your chief men sent in the name of all the rest, but desire you will be so kind as to come to us to Philadelphia to Visit our Families and Children born there, where we can provide better for you and make you more welcome, for People always receive their Friends best at their own Houses. I heartily wish you well on your Journey and good success in it, And when you return home I desire you will give my very kind love and the Love of all our People to your Kings and to all their People.

Then the Governour rose up from his Chair, and when he had called Ghesont the Speaker to him, He took a Coronation Medal of the Kings out of his pocket, and presented it to the Indian in these words.

That our children when we are dead may not forget these things, but keep this Treaty between us in perpetual Remembrance. I here deliver to you a Picture in Gold, bearing the Image of my great Master the King of all the English; And when you return home I Charge you to deliver this piece into the hands of the first man or greatest Chief of all the five Nations, whom you call Kannygoodk, to be laid up and kept as a Token to our childrens children, that an entire and lasting Friendship is now established for ever between the English in this Country and the great five Nations.

At a Council held at Philadelphia, July the 20th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Thomas Masters,
Isaac Norris,	Andrew Hamilton, Att. Genl.
Saml. Preston.	James Logan, Secretary.
Jonathan Dickinson,	

The minutes of Council and Treaty lately held with Deputies of

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the ffive Nations at Conestogoe being read, for the Service and Satisfaction of those who would not undertake that Journey, the Secretary reported what he had further transacted with them there, after the Governour left that place, as follows:

James Logan, Secretary, further reports, that having continued at Conestogoe after the Departure of the Governour and the rest of the Company, He had the next day, by the Governours approbation and Direction held a Discourse with Ghesaont, the Chief of those Indians and their Speaker Civility, the Captain of Conestogoe, and John Cartlidge, being Interpreters.

That He first put Ghesaont in mind of the great Satisfaction the Governour had expressed to him in the Council upon their kind visit, and the ffreedom and openness that had been used to them on our parts, and therefore advised him if he had any thing in his thoughts further relating to the Friendship established between us and the matters treated in Council, he would open his Breast in this free Conversation, and Speak it without Reserve, and whatever he said on those heads should be reported faithfully to the Governour.

Ghesaont then said, that he was very well pleased with what had been spoken. He saw the Governour and the English were true Friends to the ffive Nations, but as to their People going out to War, which Head we chiefly insisted on, the principal Reason was that their young men were become very poor, They could get no goods nor Clothing from the English, and therefore they went abroad to gain them from their Enemies.

That they had once a clear Sky and Sun Shine at Albany, but now all was over-cast, they could no longer Trade and get Goods as they had done, of which he could not know the Reason, and therefore they had resolved to try whether it was the same among the other English Governments.

To this the Secretary answered, That they had from the first Settlement of New York and Albany been in a strict League and Friendship with that Government, and had always had a Trade with and been supplied by them with the Goods they wanted. That it was true, for three or four years past the ffrench had come from Canada to Albany in New York, and purchased and carried away great part of the Goods, Strowd waters especially, Sometimes three or four hundred peices in a year, which the ffive Nations ought to have had; but that now, another Governour being lately sent thither from the Great King of England, He had made a Law that the ffrench should not have any more Goods from the English; That this had been the Reason of the Clouds and dark Weather they complained of, but that now a clear Sunshine as they desired would be restored to them; That he very well knew this Gentleman the new Governour, that He had not long since been at Philadelphia, and at his (the Secretary's) House, and that he had heard him (the Corlear) say, He would take Care his Indians should be well supplied for the future, and accordingly they might depend on it.

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Ghesaont being hereupon asked whether They did not know that the ffrench had for some years past had the Cloths from the English, answered, that they knew very well that these English Goods went now in a new path, different from that they had formerly gone in, that they knew not where they went, but they went beside them and they could not get hold of them, tho' they much wanted them.

The Secretary proceeded to say, that as New York and Albany had been their Ancientest Friends, so they could best supply them, and they would certainly do it if they continued in their Duty on their part; That they were sensible the Great King of England had a Regard for them, by the notice that He took of them almost every year; That all the English every where were their Friends. We were now very glad to see them, but wished for the future they would come to Philadelphia, as they formerly used to do; that He himself had seen their Chiefs twice at Philadelphia, the two years that William Penn was last here, and that when his son came over about three years after, now about seventeen years agoe, a considerable Number of them came down and held a great Council with us, and therefore he hoped they would visit us there again, which would be much more convenient than so far back in the Woods where it was difficult to accommodate them and our selves, that however we were glad to see them there. This they knew was a Government but lately settled, but that they were now going into two Governments that had been much longer seated and were very rich, and would make them exceeding Welcome; that We saw them in the Woods only, at a great Distance from home, but they would see the Governours of Maryland and Virginia at their own Towns and Houses where they could entertain them much better; that they would be very kindly received, for we were all of one Heart & mind, and should always entertain them as our Brothers.

Ghesaont took an opportunity of himself to enter again on the subject of their People making Peace with the other Indians on the Main. He said that he had in his own person laboured it to the utmost; That He had taken more pains to have it established than all the English had done; That their people had lately made Peace with the Tweuchtwese; That they had also sent some of their men to the fflat heads for the same purpose; That they had now an universal Peace with all the Indians, excepting three small Nations to the Southward, with whom he hoped to have one concluded upon his present Journey by means of the Governour of Virginia; That his own Desires were very strong for Peace as his Endeavours had shewn, and that he doubted not to see it established every where. He said the Governour had spoke very well in the Council against their young men going to War, yet he had not done it fully enough, for He should have told them positively that they should not on any account be suffered to go out to War, and he would have reported it accordingly, and this would have been a more effectual way to prevent them.

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The Secretary then proceeded to treat with them about the Road they were to take, and it was agreed that the Chief of the Nantikokes, a sensible man, who was then present, should conduct them from Conestogoe to their Town on Wye River, that they should be furnished with Provisions for their Journey sufficient to carry them among the Inhabitants, after which they were directed, as the Governour had before ordered, that they should produce his Passport to the Gentlemen of the Country where they travelled, by whom they would be provided for; And the Nantikoke Chief was further desired, upon their leaving the Nantikoke Towns, to direct them to some of the Chief Gentlemen and Officers of those parts who would undoubtedly take Care of them on Sight of their Passports, and thereby knowing their Business have them transported over the Bay to Annapolis. Being further asked how they would get an Interpreter in Virginia where the Indians knew nothing of their Language, and some Proposals being made to furnish them, they answered, there would be no occasion for any Care of that kind, for they very well knew the Governour of Virginia had an Interpreter for their Language always with him.

Provisions being then ordered for their Journey, as also at their Desire, some for those of their Company, who with their women and children were to return directly home by water up the River Sasquehannah, viz: a Bagg of Bisket, some pieces of Bacon and dried Venison; these matters were concluded with great Expressions of Thankfulness for the Governours great Care of them and their Families, which Kindness they said they never should forget.

The Discourse being continued, they were told it was now very near, viz: within one Moon of thirty seven years since a great man of England Governour of Virginia, called the Lord Effingham, together with Colonel Dongan, Govr. of New York, held a great Treaty with them at Albany, of which We had the writings to this day.

Ghesaont answered, they knew it well and the subject of that Treaty, it was he said about settling of Lands. Being further told, that in that Treaty the five Nations had given up all their Right to all the lands on Sasquehannah to the Duke of York, then Brother to the King of England. He acknowledged this to be so, and that Wm. Penn since had the Right to these Lands, To which Civility, a Descendant of the ancient Sasquehannah Indians the old Settlers of these parts, but now reputed as of an Iroquois Descent, added that he had been informed by their Old men, that they were troubled when they heard that their Lands had been given up to a place so far distant as New York, and that they were overjoyed when they understood William Penn had brought them back again, and that they had confirmed all their Right to him.

Divers Questions were further asked him, especially concerning the French of Canada, their Trade and Fortifications, on which He said, that the ffrench had three fforts on this side the River of

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St. Lawrence, and between their Towns and Mentual furnished with great Numbers of Great Guns, that the ffrench drove a great Trade with them, had People Contantly in, or going to and coming from their Towns, that the ffrench kept young People in their Towns on purpose to learn the Indian Language, which many of them now spoke as well as themselves; that they had a great Intercourse with them, that about three hundred of their men, (viz. of the ffive Nations) were seated on the other side of the Great River, that the ffrench had this last spring begun to build or to provide for building a Fort at Niagara Falls, but they had since declined it; he knew not for what Reason, and they (the ffrench) had sent to his Town (the Isanandonas) this last winter a great deal of powder to be distributed among them, but nothing was done upon it. Being particularly asked whether the French had ever treated with them about any of their Land, or whether the Indians had ever granted the ffrench any. He answered No! that his People knew the ffrench too well to treat with them about Lands; They had never done it, nor ever granted them any upon any account whatsoever, and of this, he said, we might assure ourselves. Thus the Day was spent in such Discourses, with a Pipe and some small mixt Liquors, and the next morning Ghesaont, with the rest of his Company, returning from the Indian Town to John Cartlidge's, took their Leaves very affectionately with great Expressions of Thankfulness to the Governour and this Government for their kind Reception.

Then were laid before the Board several Accotts. of Expences of the Governour and Council's Journey to Conestogoe this month, and of the Treaty with the Indians there, but there being some Bills not yet given in, the Clerk is ordered to call for them, and the Secretary is desired to direct him in the making up and fairly stating the whole Accott. of the charge of that Treaty; and likewise, that credit be given for the Presents received from the Indians, that so the said Accott. may be ready to be considered at the next meeting of the Council.

At a Council held At Philadelphia, August the 17th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Samuel Preston,
William Trent,	Thomas Masters,
Isaac Norris,	James Logan, Secretary.

Upon a due Consideration of the Letter from the Honourable William Burnet, Esqr., Govr. of the Provinces of New York and New Jersey, directed to our Governour Sir Wm. Keith, bearing Date the 17th of July last, and recommended to this Board, which he is pleased still to insist on his former Demand of three hundred and fifty

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Pounds from this province, towards building of ffortifications for the Security of the Frontier of New York.

It is the opinion of this Board, that their Answer already given to the said Demand grounded on the first of those Instructions from his Majesty, which the said Governour was pleased to transmit was full and plain. But since that worthy Gentlemen is pleased to insist on a further Answer, And it being highly conducive to his Majestys Interest in these Colonies, that a perfect Harmony and good understanding be kept up between all his Governments, and that his Subjects should be united in affection as well as Interest, to which End all things tending to Altercations or Contest ought most carefully to be avoided; the Board therefore, with all due Respect and Deference, take Leave to observe by way of further Answer to the Demand aforesaid.

That the first of these Instructions which have been communicated to them, viz: that numbred 91, begins with and contains nothing but pure Recitals to these Words at the Close of it, viz: "You are therefore to inform yourself what has been done, and what remains further to be done, and to send an account thereof to us and our Commissioners for Trade & Plantations as aforesaid," which Lines contain the whole directive part of that Instruction, and therefore nothing further ir required by it of the Governour that what is so directed.

That the last Recital in that first Instruction, beginning with these words: "And whereas, We thought fit to direct that you signify to our province of Nova Cæsarea," is a mistake in the Clerks in continuing to apply to the present as well as some former Govrs. what could be said properly, only of one of his predecessors, Governour of New York, before New Jersey was brought under the immediate Government of the Crown, will be very plain to all those who are acquainted with the Transactions of those Times in Relation to that Government.

And the next Instruction, numbred 92, being only a Direction to the same Governour to recommend what is there mentioned to the Council and Assembly of New York, has therefore no Relation to this or any other Colony.

The Board further observes, that in the Body of the Recitals in the first of these Instructions, it is said, "That orders were given "by King William the 3d, by Letters under his royal Sign Manual, "directed to their Governours of divers of the Plantations, to recom- "mend to the Councils and General Assemblies of the said Planta- "tions, that they respectively furnish a proportionable Summ towards "the ffortifications, &c." By which it appears at this Day, that at first, (viz. about 25 years agoe) the Demand was made by King William's particular Letters under his Signet, directed to each respective Governour, yet in no other manner than tha they should recommend it to their Councils & Assemblies.

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This Demand therefore having been made by the King's own Letters directly to the respective Governours, in a manner perfectly agreeable to an English Constitution, and not by authorizing any other Governour or Person to make such Demand, except in the Case of Jersey, whose Governour was not then acknowledged by the Crown, and the Governour of New York being in most plain Terms directed only to inform himself what had been done therein, &c.; this Board therefore has Reason to continue of the same opinion, That their former Answer to this Demand was clear and full to the point, and that the several former Governours of New York, for about these twenty years past, were of the same opinion, viz: that they were not directed to make any such Demands may reasonably be conceived, because tho' every one of them (as this Board has been credibly informed) has successively the same Instructions; yet not one of them in that space, notwithstanding their administration fell in the time of a very sharp War with France and its subjects, ever made it on this province, or any other that we have heard of.

As to the next Instruction, viz: the 93, Requiring a Quota of men from each of the Colonies on the Continent North of Carolina, and among the rest of eighty men from this Province, for the Defence of the Frontier of New York in case of an Invasion, of which Instruction the said Governour is now pleased to add a Copy to the two formerly sent, as a Proof beyond Dispute of his having a Right to make the aforesaid Demands; this Board cannot conceive that it either adds too or diminishes from the Intention of the Directions in the preceding Instructions, tho' it really in itself authorizes the Governour of New York, as occasion requires, to call for the said quota. But hereupon this Board must, with all due regard to their superiors crave leave to observe, That this Instruction seems to be no way suitable to the present circumstances of affairs on this Continent, and that being first drawn so many years ago, 'tis to be admired that it should have been still continued; For besides that the manner of the Indians is to make their marches so private to attack so suddenly, and to retire so quickly after the mischief is done, that assistance from men who have vast Tracts of Woods, and most difficult Ways & Waters to pass through, could scarce ever come early enough to be of any service against such Indian Invasions. Besides this We say, the situation of the English and ffrench affairs on this main are so much altered, since the time that Instruction was first deemed necessary, that they now require to be considered in a very different manner; Canada was then the only settlement of the ffrench in these parts, but now Louisiana, cultivated by the greatest application of that Nation, and peopled by the transportation of vast numbers of their subjects at the expense of an immense publick stock, spreads itself round and threatens all these Colonies with a formidable Power behind us. Carolina, Virginia, MaryLand & Pennsylvania, are now equally concerned with the more Northern provinces to guard against the Danger; therefore as what was first proposed by

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this Instruction was considered by the several Governments to which King William's Letters were directed, as impracticable; So now, even the first Reason of it ceases, and therefore cannot ('tis conceived) be rationally urged for any such contribution; For every Government will naturally first consider their own Security, and 'tis reasonable that if one Colony assist another when in danger, that other should return their assistance to the first when occasion requires it.

But as Governour Burnet very justly observes in his Letter, it may happen their whole Force may be wanted for their own Defence, and then it will in vain be expected.

The great Concern that worthy Gentlemen expresses for this province, and his Desire that his Letter should be laid before this Board, arises ('tis supposed) from his Inclination to be doing good every where; And not only this Board, But the whole province we hope will make all grateful acknowledgements for every Favour or service that he intends us. It will undoubtedly (as has been already noted) be for the interest of his Majesty and all his subjects on this Continent, that there should be the most friendly Disposition in all his Governments towards each other.

'Tis what this Board covets on their part, for themselves and the whole Province. We are at present sensible of our Happiness under our Governour, and have Reason to hope that as He is entrusted by his Majesty with the Care of the Colony, and the Inhabitants cannot be ignorant of what may most conduce to their own security, all the parts of the Government will concur in considering the necessities of their own affairs as they may from time to time emerge, and be ever ready to express a due sense of gratitude for every Favor they shall receive from Abroad at the hands of their well wishers.

Upon Consideration of the Petition of one John Grist, Prisoner in Philadelphia Gaol, who having, with divers other persons, settled himself and Family and taken up Lands on the other side of Sasquehannah River, within the Limits of this province, without any Warrant for the said Lands from the Commissioners of Property, or any other legal Right to the same, And having for —— passed audaciously presumed to continue himself in the possession of the said Lands in Contempt and Defiance of the repeated Orders of the Commissioners of Property, signified to him by the Secretary of this province, one of the said Commissioners; And Complaint having been made to the Governour by the Indians at Conestogoe in July last, of divers Abuses they had received from the said John Grist, &c., the Governour, with the Advice of some of the Commissioners of Property then with him at Conestogoe, Judged it absolutely necessary for the Quiet of the Indians, and also to prevent such audacious Behaviour in Contempt of the Authority of this Governmt. for the time to come, by a Warrant under his Hand and Seal, to direct John Cartlidge, Esqr., one of his Majestys Justices of

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the Peace residing at Conestogoe, to warn and admonish the said John Grist & his Accomplices forthwith to relinquish the said Lands whereof they had taken Possession, without the least Colour of Right or Title thereto, and in case of their Refusal, the Governour by his said Warrant, did further require the said John Cartlidge to raise the Posse Comitatus, and to burn and destroy their dwelling Houses and Habitations, the first part of which said orders having been exactly observed and Notice given, the said persons to remove themselves accordingly. Nothwithstand whereof, They still refusing to shew any Regard to the Governours orders, or to remove themselves from off the said Lands, the Indians did thereupon destroy some of their Cattle; Whereof, the said John Grist coming to complain to the Governour at Philadelphia, the Governour being Just then going out of Town remitted him with his Complaint against the Indians to the Secretary, before whom behaving himself in a very insolent seditious manner, the Secretary, with the advice of the Attorney Genl. committed him to Gaol for want of Security to be forth coming when required, and for the good behaviour.

The Board, in Compasion to his poor Family, is pleased to order That Leave be given the said John Grist to carry off his corn now on the ground; And that upon his entring into a Recognizance for one hundred pounds, conditioned for his immediate Removal from off the said Lands, and for his good Behaviour for twelve months, He be forthwith discharged and set at Liberty, paying his fees.

At a Council held at Philadelphia, August the 21st, 1722.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
William Trent,
Samuel Preston,
Anthony Palmer,
Thomas Masters,
Andrew Hamilton, Att. Genl.,
James Logan, Secretary.

Two Bills sent up this Day from the House of Representatives, viz: An act for preventing Accidents that may happen by Fire, and An Act to prevent the Killing of Deer out of Season, were severally read at the Board, to which divers amendments were made and ordered to be sent down to the Assembly, together with the said Bills.

John Grist being sent for from Gaol, came in Custody of the Keeper, and in presence of the Governour and this Board, acknowledged himself to owe unto our Soverign Lord the King, his Heirs & Successors, the Summ of two hundred pounds, to be levied of his Goods & Chattels, Lands & Tenements, Sub Conditione.

That if the said John Grist shall be of good Behaviour, and well & uprightly behave himself towards our Sovereign Lord the King's Majesty, and all his Liege People, for the space of twelve months;

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And shall remove himself & ffamily from his late Settlement on the other side of Sasquehannah River, within the space of one month from this Day, And shall appear before the Governour and Council of this province, at any time within twelve months, upon Notice given to him in Writing, or left at the place of his Habitation or usual Abode, Then this Recognizance to be void, or else, &c.

Whereupon, the said John Grist being first severely reprehended by the Governour for his past Contumacy and insolent Behaviour, and admonished to behave himself civilly and respectfully for the future, was discharged, paying his fees.

At a Council held At Philadelphia, August the 25th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Thomas Masters,
Colo. Jno. ffrench, James Logan, Secry.

The Governour in Council having considered two Bills sent up to him this Afternoon, from the House of Representatives, viz:

An act for vesting the Lands and Lotts commonly called the Lands of the free Society of Traders in Pensilvania, in Trustees, to be sold for the payment of such Summs of money as were paid into the publick Stock of the said Society, for purchasing the said Lands and Lotts, and carrying on the Trade designed by the said Society; and An act to regulate the well tanning and currying of Leather.

Is of opinion, That the Bill for sale of the Society Lands being a private Bill, whereby the particular Estates and Properties of many persons are to be conveyed and disposed of out of the common course of the Law, for the advantage of a few, it ought to be carefully examined by every part of the Legislature.

That it does not appear to the Governour who are the parties concerned in promoting of this Bill, nor what Interest they really have in the original Stock of the sd. Society or Company; So that tho' a considerable time is given to persons living at a Distance for putting in their Claims, yet many of these Titles may be and probably now are in the hands of Orphans or Minors. And should any such persons happen to be hereafter deprived of their just Rights, and totally excluded from any further Pretensions by virtue of such an Act as this, the Governour cannot but think it would bring a very great Reproach upon the present Legislature of this province, for which He is perswaded the House will always have an equal Regard with himself.

Moreover the Governour observes, that the Narrative of this Bill begins with these words: "Whereas it has been represented to this Assembly," but the Governour thinks it would have been more

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suitable to the Nature of the Business, if it had been rather said. "Whereas it has been made appear to this Assembly, by such and such incontestible proofs and Evidence, &c.," and by application of such and such being the majority of those concerned. Lastly, The Governour looking upon himself to be an essential part of the General Assembly of this province, and no Application having as yet been made to him of any sort with Relation to the purport and Contents of this Bill. He cannot in his Duty and Conscience give his assent to any such Law, before the several Evidences, Facts and Circumstances upon which the Equity and Justice of this Bill must depend, have been fairly made out and laid before him.

As to the other Bill for regulating the Tanning and currying of Leather.

Considering the Importance of it, and how many Sorts of People are to be affected by it, it appears not to have been sufficiently digested to be passed by the Governour into a Law as it now is, and if the Assembly are bent on ending this Session to morrow, 'tis conceived it will not be practicable to give it such amendments as even the Language of it may require, besides that the Governour must crave some longer time to consider the things themselves that are intended to be provided for or against by such an act.

But before another Session of Assembly, the Governour designs to examine both these Bills more carefully and fully than can at present be expected from him, And as soon as he can be satisfied that they are just and reasonable (as he hopes they will be both found) in their Nature and Design. He may recommend them to the next meeting of Assembly that they may then be fully enacted.

At a Council held At Philadelphia, October the 4th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Jonathan Dickinson,
William Trent, James Logan, Secretary.

The Governour laid before the Board the several Returns of Coroners & Sheriffs elected this present year, for the respective Counties of this Province, and desired the advice of the Members present in his Nomination, Who all agreed that the persons first named in the said Returns be appointed for the offices for which they are elected respectively. Accordingly, the Governour is pleased to order that Commissions be forthwith prepared for the said persons, viz: for Owen Roberts to be Sheriff of the City and County of Philadelphia, and Merrick Davis to be Coroner for the same; for John Taylor to be Sheriff of the County of Chester, and Robert Barber Coroner of the said County; for John Hall to be Sheriff of the

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County of Bucks, and Wm. Atkinson Coroner of the same; the Sheriffs first giving Security in the Rolls office as the Law directs.

At a Council held at Philadelphia, October the 16th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Thomas Masters,
Jonathan Dickinson, James Logan, Secretary.
Anthony Palmer,

The Representatives of the ffreemen of this province elected on the Second instant, (the first being Sunday) having met in Assembly on the 14th, in pursuance of their Charter and the Law in that Case provided, were ordered to attend the Governour this morning in Council, and presenting themselves accordingly, Jeremiah Langhorn, Esqr., addressing himself to the Governour in the Name and Behalf of the Assembly, acquainted him, That the House of Representatives had been pleased to make Choice of him from among divers others more worthy of that Honour, to be their Speaker, but prayed the Governour would consider his great Incapacity, and that He would please to desire the House of Representatives to make choice of another of their Number better qualified than himself for that office.

The Governour answered, That He had always found the House of Representatives the best Judges in the Choice of their Speaker, and that the Gentleman now presented to him by the House for his approbation in that Station, had acquitted himself with such general applause in so many former Assembly's that He had good Reason to believe him to be a person fitly qualified for that office, and therefore could not but very heartily approve of the Choice which the House had made of him for their Speaker.

Then the Speaker addressing himself to the Governour, in the Name of the House, desired,

That the Governour would grant the Members of Assembly free access to his presence when sent to him by the House.

That He would protect them in all their privileges as an Assembly.

And that He would be pleased to put the most favourable Construction on all their proceeding; All which being promised by the Governour on his part, He delivered himself in a Speech to the Assembly, as follows.

Mr. Speaker & Gentlemen of the Assembly:

I have had such good Success with former Assemblies, and I meet with such hearty Wellcome and kind Entertainment wheresoever I

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happen to go in the Country, that I think I may surely depend on the Love and affections of the People whom you represent, and consequently on your Esteem; I cannot therefore, but understand the the Change which I perceive the Country has made this year of their former Representatives, to proceed chiefly from the just opinion they have conceived of my hearty Inclinations to grant them any thing in my power which can contribute to their further Ease & Happiness, wherein I do assure you They shall not be disappointed. But I hope those will, (if there be any such) who vainly imagine or expect, that this Change was intended to straiten the Governour with unreasonable Demands and a narrow Support.

It is obvious to every honest well meaning man, That the Duties and obligations between any People and their Governour are reciprocal, and wholly consist in doing such offices to one another as proceed from a natural Goodness or Humanity; Which, tho' it comprehends all the Moral Law, yet is easily to be applied and practised in any Case, by every man that does not oppose and struggle with the Dictates of his own Conscience. This is that Simplicity or Rectitude of mind which is so frequently opposed in Scripture to the Wisdom of this World; And as it is the poor man's greatest Ornament, So We may observe, it generally attends those who have no other Ambition but quietly to possess and enjoy the Fruit of honest Industry & Labour.

GENTLEMEN:

I cannot doubt but my daily Endeavours to secure to you a quiet and orderly Administration of Justice at Home, as well as to promote the Credit and Reputation of this Colony Abroad, must be very acceptable to the People in general; And if it be so, I hope you will have some Regard to the extraordinary Charge and Expence of my last years Services, for which I am left to depend entirely on your Justice and Gratitude.

Most certainly, the Governour's true Interest and the Honour & Reputation of an Assembly will always be found inseperable: And it ist o be hoped that your unanimous Resolution at the Opening of this Session will demonstrate them to be so, because this will render you at once easie amongst your selves and effectually stop the mouths of Gainsayers.

I shall conclude with assuring you of my Readiness not only to concur, but to assist you in every thing that can be proposed for the publick Good, And your House may depend on my authority to support them in all their just Rights and Privileges.

The Speaker receiving a Copy of the Speech the House withdrew, and the Council broke up.

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At a Council held At Philadelphia, November the 23d, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Jonathan Dickinson,
Isaac Norris,	Thomas Masters,
Samuel Preston,	James Logan, Secry.

Upon Consideration of a Petition, signed by a considerable Number of Inhabitants of Chester County, in behalf of themselves and others, setting forth,

That Whereas by an Order of the Justices of the County Court of Chester, a new Road has been lately directed to be laid out and cleared in the High Way to Conestogoe, which new Road departs from the old one at Perkin's House, and cutting the same again a little above Brandy Wine, runs all along through uninhabited and unsettled Lands quite up to the Palatine Settlements on this side Conestogoe; And whereas, They humbly conceive, That by an Act of Assembly of this province all the Kings Highways or publick Roads are to be laid out by order of the Govr. and Council, And they finding themselves likely to be aggrieved not only by the great Charge, and Trouble which must attend the clearing and supporting of two Roads, but also by the Discouragement which will thereby be given to sevl. good Settlements upon the old Road, already well provided with all things necessary for the accommodation of Travellers.

The Petrs. humbly desire and hope, that the Governour and his Council will be pleased to give such Direction and Relief in the premiscs as shall to them seem most meet.

Sign'd by Isaac Malin, Thos. Paschall, Wm. Paschall, Thos. Paschall, Edwd. Kenison, James Thomas, Wm. Cundall, Wm. Thomas, John Spruce, and about thirty psons more.

The Board not being satisfied whether the laying out this Road complain'd of, be legally in the power of the Court of Quarter Sessions of the said County, within the meaning of an Act of Assembly of this Province, whereby the Justices in each County are empowered to lay out and confirm private and By Roads, but not any of the Kings Highways and public Roads; And being likewise unwilling wholly to annul or reverse any Orders of the said Court, without a previous Hearing and Examination of the Case on both sides. It is Ordered, That the Road now and heretofore used leading from Philadelphia to Conestogoe, through the Townships of Meirion and Radnor, and laid out by the authority of this Government as far as Thomas Moore's Mill, on Brandy Wine River or Creek, be deemed the Kings Highway and public Road, And that all former Orders of the Justices of the said County, for laying out and clearing the said new Road now complained of by the Petitioners be for the present Superseded; And also that they forbear to issue any further Orders for that purpose, untill it be made appear to this Board that the same is

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properly in the power of the Quarter Sessions by virtue of the Act of Assembly aforesaid; And upon timely Notice given, this Board will be ready to hear and judge of the Reasons to be offered by the said Justices in Support of their Right to order the laying out the said Road, and also the objections of the said Petitioners against the same; And it is ordered that a Copy of this Minute be delivered to the said Justices at their next General Quarter Sessions of the Peace, that they may govern themselves accordingly.

The Governour acquainted the Board, That as they were all sensible He had, with their Advice and Approbation, in pursuance (as He had understood) of the late Proprietor's Inclinations when here, ever since his Administration, observed some kind of an Equality or Proportion in his appointment of the subordinate officers of Govmt., between those who profess themselves Members of the Church of England and the People called Quakers; He had no Reason to doubt but the Board was well satisfied the same method should be observed in the Council.

That some Church men, members of this Board, residing for the most part in the Country, and others of the same perswasion being frequently absent upon their private affairs, insomuch that it still continues difficult to get a Council together upon any occasion without a long previous Notice. He had some time agoe made mention to most of the members now present of Henry Brooke, Esqr., Collector of his Majestys Customs at Port Lewis, within this Government, and of late a useful magistrate in the County of Sussex, as a fit person to supply the place of Jasper Yeates, Esq., a member of this Board, lately deceased; To which the Governour was more particularly induced from this Consideration, that it has been usual, and is still expected by the Inhabitants of the lower Counties, that there should always be at least two members in the Council from those Counties; Wherefore, He now proposes that with the Consent of this Board, the said Henry Brooke should be admitted a member thereof.

All the Members present being sensible of Mr. Brooke's great Knowledge, Ability and Worth, unanimously agree that He be admitted accordingly as soon as the Governour thinks fit.

At a Council held At Philadelphia, January the 19th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Govr.

Richard Hill, Jonathan Dickinson,
Isaac Norris, James Logan, Secretary.
Samuel Preston,

Henry Brooke, Esqr., took and subscribed the several Oaths and Qualifications by Law, required to be taken by persons bearing

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public offices in England, also the Oath of a Counsellour for this Government, after which He took his place at the Board; Upon a motion made, that Andrew Bradford, Printer, be Examined before this Board concerning the publishing of a late Pamphlet, entituled "Some Remedies proposed for the restoring the Sunk Credit of the Province of Pennsylvania," as also of the Weekly Mercury of the 2d of January instant, the last paragraph whereof seems to have been intended as a Reflection upon the Credit of this province; it is ordered That He, the said Printer, have Notice to attend this Board at the next meeting of Council.

The Board proceeded to consider two Bills sent up from the Houso of Representatives, viz: "An act for laying a Duty on Wine, Rum, Brandy and Spirits, Melassoes, Cyder, Hops and Flax, imported, landed or brought into this Province; and An act for laying a Duty on Negroes imported into this province, and agreed upon several amendments to the said Bills, which were ordered to be sent down to the Assembly.

At a Council held At Philadelphia, February the 1st, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Isaac Norris,
Saml. Preston,
Jonathan Dickinson,
Andrew Hamilton, Att. Genl.,
Henry Brooke,
James Logan, Secretary.

A Petion from divers Inhabitants on the South Side and adjacent to the River Schuylkill, in this province, having in the year 1720 been presented to the Assembly, setting forth, That they the said Inhabitants had formerly been and then were rated in the County of Philadelphia, and yet were at that time called upon to pay their Rates to the County of Chester, no Division Line being run between the said Counties, and therefore praying that such a Line might be run, the said Petition was, by an Order of the House of the 4th of May, in the said year, referred to the Consideration of the Governour and Council for the Petitioners Relief, and at a Council held on the 8th day of June following, by order of the Board, the Secretary was directed to inquire of the Situation and Case of the Petitioners, and report his opinion thereupon to the Board. And Warrants from the Commissioners of both the said Counties, together with their respective Taxations of the said Inhabitants in both Counties, to their great Oppression, being now produced to the Board, the Secretary was called upon to make his Report in pursuance of the aforementioned Order.

Accordingly the Secretary reports, That He has not been able to

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find out any authentick Act or order by which the said Counties have been divided, but that He finds, At the first Settlement of the Country under the Proprietor, the Creek or Run on this side of Darby, called Cobs Creek, made the first Division of those Counties in the lower parts towards the River Delaware, as far back from the said River as Haverford township; That in the printed Maps there is laid down from thence a prick'd Line for the Division of those Counties by the side of Haverford Township, departing from the said Cob's Creek to the Eastward, and again above the sd. Townships, taking another Turn further to the Eastward to leave John Holland's and some other Lands on the side of Radnor Township to Chester County; And that thence the same Line is continued from thence streight to Schuylkill, dividing Lœtitia Penn's Mannor almost in the middle and laying part of it to each County; That He is apprehensive This was done arbitrarily by the Surveyor General without any authority for the same at the time the Map was made, and that in his Opinion it would have been more regular to carry the Division Line along the side of Radnor and the upper part of that called the Welch Line, laying all those Tracts called Manors to Philadelphia County, as in all appearance they were at first intended by the Proprietor; That He finds most of the Petitioners past over Schuylkill from the Settlements on the Eastern Side of it, which were considerable before there were any of note on the Western Side so high up that River, and accounting themselves to be still in Philadelphia County, as they had been before they passed the River, they were accordingly taxed in the township formerly called Mahanatawny but now Amity Township, there being no practicable Road nor convenient Communication between those parts and Chester; That this is what He can as yet discover relating to that affair, which he humbly submits to the Board, with his Opinion, that this matter ought without Delay to be further Settled.

And the case of those Inhabitants, with this Report, being taken into consideration by the Board, It is their unanimous Opinion, That untill this matter can be more fully and effectually settled, the Commissioners and Assessors of Chester County should forbear to claim those Inhabitants, who being settled on or near the Western Side of Schuylkill have hitherto been reputed part of Amity Township, and as such have been and are taxed in the County of Philadelphia, and that the said Inhabitants be permitted to pay their Taxes and do all other Duties to the County of Philadelphia as formerly, without any further molestation from the County of Chester, or any officers by authority of the Court or Commissioners of the said County.

And the Clerk is ordered to transmit a Copy of this Minute to the Commissioners of the said County, for their Direction in the premises.

The Board being informed that Andrew Bradford, the Printer, attended according to order, He was called in and examined concerning a late Pamphlet, entituled "Some Remedies proposed for

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restoring the Sunk Credit of the Province of Pennsylvania;" Whereupon, He declared that He knew nothing of the printing or publishing the said Pamplet; And being reprimanded by the Governour for publishing a certain paragraph in his News-Paper, called the American weekly Mercury of the 2d of January last, He said it was inserted by his Journey-Man, who composed the said Paper, without his Knowledge, and that He was very sorry for it, and for which he humbly submitted himself and ask'd Pardon of the Govr. and the Board; Whereupon, the Governour told him, That He must not for the future presume to publish any thing relating to or concerning the Affairs of this Government, or the Government of any other of his Majestys Colonies, without the permission of the Governour or Secretary of this province, for the time being, And then He was dismissed and the Council adjourned.

At a Council held At Philadelphia, March the 6th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,
Isaac Norris,
Jonathan Dickinson,
Colonel John ffrench,
Andrew Hamilton, Att. Genl.,
Henry Brooke,
James Logan, Secretary.

The Governour acquainted the Board, that He had been surprized this morning with an imperfect Relation from one Richard Langdon, a Butcher, lately came from Conestogoe, of the sudden Death of an Indian at one of their Towns a considerable way above Conestogoe, occasioned (as it is said) by one or more Blows given him by John or Edmund Cartlidge, or both of them; That tho' the Governour had not received any certain Advice of the Truth or Circumstances of this unhappy Accident by any Express Message from Conestogoe, yet the said Richard Langdon having had his information from sundry persons of Credit near Conestogoe, and being desired by some of them to give Notice of it to the Governour, gives the Governour some Cause to fear the Truth of what is now so confidently every where reported; He had therefore thought it necessary upon the first Notice given him, that the Council of the Province should be immediately acquainted with the whole circumstances of this matter, as far as can yet be discovered here, that He might consult with them of the most proper measures to be taken upon so extraordinary an occasion for preserving the Peace of the Province; He had therefore ordered the said Richard Langdon, and one David Robeson, a Blacksmith, near Perquyomen, (who had also received some Intelligence of this matter in the Country,) to attend the Board at this time, Who were accordingly severally called in an examined upon Oath.

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Whereby it appeared to the Board, that there is just Cause to believe that an Indian is actually dead, And from the Accounts the said Deponents give, there is Ground enough to suspect that the said John or Edmund Cartlidge, or both of them, have been some way or other instrumental in or accessary to his Death. It is therefore the unanimous opinion of the Board, that it is of absolute Necessity that some person or persons of Integrity, Reputation and Ability, be forthwith dispatched to Conestogoe with full powers to make Inquiry into this matter, and upon just Cause of Suspicion to commit any person or persons accessary to the Death of the said Indian, and generally to dispatch such messages and take such other Measures which they shall judge necessary to secure the publick Safety and Tranquility of the Government.

Accordingly at the Request of the Governour and the Board, the Secretary and Colonel ffrench agreed to undertake a Journey to Conestogoe for the negotiating of this affair; And it is ordered, that a Commission and Instructions be prepared for the said Gentlemen, betwixt and to morrow morning, to be laid before the Council for their Approbation.

In the mean time it is judged convenient, that the Assembly now Sitting be acquainted with the Accounts the Governour has received of the matter, and with the proceedings of this Board thereupon; And that the Govr. will please to move them by a Message, to pass a vote for making Provision to defray the Charge of such unforseen Negotiations with the Indians, which 'tis conceived will be the most effectual and Cheapest way to preserve their Friendship, and to quell any Disturbances which hereafter may possibly happen upon any such extraordinary Events.

The Secretary moved, and it is ordered to be Entered as a Rule upon the Minutes of this Board, That because of the difficulty in collecting the several opinions of the Members, and putting their Resolutions in a Proper Form and Method while the Council is a sitting; That therefore, the Minute of the preceeding Council shall always be examined and approved by the Board, at their next meeting, before the same be entered upon the Council Book.

At a Council held At Philadelphia, March the 7th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart. Govr.

Richard Hill,	Thomas Masters,
Samuel Preston,	Andrew Hamilton, Att. Genl.,
Jonathan Dickinson,	Henry Brooke,
Colonel John ffrench,	James Logan, Secretary.

The Minute of yesterday's Council was read and approved; After which the Governour communicated to the Board the Message which

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He had sent along with the said Minute to the House of Representatives, together with the Resolution of the said House thereupon, being as follows:

Resolved N. C. D., That the Thanks of this House be given to the Governour for the Care he has already taken in the above affair, and that He be desired to use the most expeditious method possible, that the persons concerned in the Fact may be apprehended, in order to be brought to Justice, And that this House will cheerfully defray the necessary Charge that shall accrue on the prosecution thereof.

The Attorney General presented the Draught of the Commission to the Secretary & Colonel French ordered yesterday to be prepared, which with some Amendments was approved, and ordered to be engrossed immediately and sealed with the Great Seal; Also, a blank Commn. for a Coroner was ordered to be given the said Gentlemen to be employed by them in the Service they are now going upon, as they shall have occasion or judge necessary.

The Governour drew up some Instructions for the said Gentlemens better Direction in this Service, which with some Additions were approved by the Board, and ordered to be engrossed and sealed with the Lesser Seal of the province.

At a Council held At Philadelphia, March the 21st, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Isaac Norris,
Samuel Preston,
Jonathan Dickinson,
Colo. John French,
Thomas Masters,
Andr. Hamilton, Att. Genl.,
Henry Brooke,
James Logan, Secretary.

The Governour having been in the Country at the Time of the Secretary & Colo. ffrench's Return from Conestogoe, upon Notice of their Arrival at Philadelphia came to Town last night, and now expressed his satisfaction to see the said Gentlemen returned from their Journey, and desired them to inform the Board of their proceedings in executing the Commission & Instrucons they had received; Whereupon, the Commissioners delivered their Report in Writing, which was read, and is as follows.

To the Honourable Sir William Keith, Bart., Governour of the province of Pensilvania and Counties of New Castle, Kent & Sussex upon Delaware, and the Council of the same.

The Report of James Logan & Colonel John French, of their Execution of a particular Commission to them directed.

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May it please the Governour & Council:

Pursuant to the Instructions given us by the Governour, We set out from Philadelphia for Conestogoe on the 7th Instant, as soon as our Commission was delivered to us, and the next Day meeting with the High Sheriff of the County of Chester, according to an appointment made with him. We sent him with a proper Warrant before us for a greater Dispatch, to apprehend the two Brothers John & Edmund Cartlidge, who were reported to have committed the fact which occasioned our Journey. On the 9th, in the afternoon, We came to John Cartlidge's House where we found himself in the Sheriffs Custody, Edmund Cartlidge was then over the River Sasquehannah waiting with a Gang of Horses, as we were informed, for his Brother to joyn him to proceed on their Business of Trade towards Patowmeck; But on our informing John of the Necessity there was of our seeing his Brother, he was prevailed on to send for him the next day, and accordingly he came. The same morning, we dispatched a Messenger to summon Peter Bizaillon, who lives about 36 miles higher upon Sasquehannah, to attend us as Interpreter between us and the Indians, but He having no Horses at home, and being far from Neighbours, he could not get down till the fourth Day after the Messenger set out, viz.: till the 13th in the afternoon.

Soon after our first arrival at Conestogoe We gave the Chiefs of the Indians Notice of our Business, and upon Peter Bizaillon's coming, We appointed a meeting with them next Morning; Accordingly, We met with the Chiefs of the Mingoe or Conestogoe Indians, of the Shawanese & Ganawese, and some of the Delawares in Council, in which We spoke to them in the following Words, interpreted by Sentences, first from our Language into Delaware Indian by Peter Bizailion, who took an Oath faithfully to interpret between us and the Indians, and afterwards the same was interpreted into the three other Languages by Captn. Civility of Conestogoe, and Smith the Ganawese, who excells in the skill of those Languages.

At a Council held At Conestogoe, the 14th day of March, 1721–2. Between James Logan, Secretary, & Colonel John French, in behalf of the Government of Pensilvania, thereunto authorized by vertue of a Commission to them from the Governour, under the Great Seal, bearing date the 7th inst.; And

Civility, Tannacharoe, Gunnehatorooja, Toweena, & other old men of the Conestogoe Indians.

Savannah, Chief of the Shawanese, Winjack, Chief of the Ganawese, Tekaachroon, a Cayoogoe, Oweeyekanowa, Noshtarghkamen, Delawares.

Present divers English & Indians.

The Secretary laying down a Belt of Wampum on the Board before them, which he had taken with him for that purpose, spoke to the Indians as follows.

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Friends & Brethren:

William Penn, our and your Father, when he first settled this Country with English Subjects, made a firm League of Friendship and Brotherhood with all the Indians then in these parts, and agreed that both you and his People should be all as one Flesh and Blood. The same League has often been renewed by himself and other Governours under him, with their Councils held as well in this place where we now are as at Philadia. and other places. Both his People and yours have hitherto inviolably observed these Leagues so that scarce any one Injury has been done, nor any one Complaint made on either side, except one for the Death of La Tour and his Company for near forty years past, And of this you are all fully sensible.

Yet as all human affairs are liable to accidents which sometimes fall out even between Brethren of the same Family tho' issuing from the same Parents, So now your good Friend, our Governour and his Council, having heard by Report only, that one of our Brethren had lost his Life by some Act of Violence, alledged to be done by some of our People, without receiving any Notice of it or Complaint from you, but moved with a great Concern for the Loss and Unhappiness of the Accident, like true Friends and Brothers, the very next Day sent us two, Colonel French and me, first to condole with you, which we now do very heartily, and next by the full Powers with which we are invested to inquire how the matter came to pass, that Justice may be done and Satisfaction be made according to the firm Leagues that have from time to time been made between us and you, for We will suffer no Injury to be done to any of you without punishing the offenders according to our Laws; Nor must we receive any without just satisfaction made to us, ffor so the Laws of Friendship and the Leagues between us require.

We therefore now desire you, that according to the Notice we gave you three days agoe to have all those persons ready here who know any thing of this matter. You would fully inform us of every particular, for we are now here to take their Examinations, which we expect you will take Care shall be given with Truth and Exactness, and without any Partiality from Resentment or Favour; that when our Governour and Council are assured of the Truth they may proceed more safely in doing of Justice.

This being interpreted, as has been said, into the four several Languages of those People, We judged it necessary that our Commission should be publicly read in the hearing and for the satisfaction of the English who were there, and then we proceeded to put the following Questions, and to examine the Indian Evidences.

Quest. When did Civility and the other Indians of Conestogoe first hear of the Death of the man, and by whom?

Answr. They heard of it by several Indians much about the same time; The fact was done, they understood, about forty Days agoe.

Quest. Where was it done?

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Answr. At Manakassy, a Branch of Patowmeck River.

Quest. What was the Man's Name, his Nation, and Rank among his own People?

Answr. His name was Sawantaeny of the Tsanondowaroonas or Sinnekaes, a Warriour, a civil Man of very few Words.

Quest. What was his Business there?

Answr. He was hunting, being used to hunt in that place.

Quest. Who, do you understand, was present besides the English at the Commission of the ffact?

Answr. The Man had been hunting there alone, with a Squaw that kept his Cabin, till John Cartlidge and his People came thither to trade with him for his Skins. John Cartlidge had an Indian Guide with him of the Ganawese Nation, named Aiyaquachan, who is here present; also, two Indian Shawana Lads came thither about the same time, whose Names are Acquittanachke and Metheegueyta; also, his Squaw, a Shanawese Woman, named Weynepreeueyta, Cousin to Savannah, Chief of that Nation, who are all here present.

Then Winjack and Savannah, Chiefs of the Ganawese & Shanawese, were required to Charge those four witnesses of the ffact, of their respective Nations to speak the Truth impartially, without Malice or Hatred, Favour or affection on any account whatsoever. The three Shawana witnesses being desired to withdraw, Ayaquachan, the Ganawese, aged according to appearance, about thirty years, was called upon to give an Account of what he knew, and accordingly he said, That he came in the Evening to the Indians Cabin who is dead, with John Cartlidge and Edmund Cartlidge, who had with them William Wilkins and one Jonathan, both servants to John Cartlidge, with an Intent to trade with the said Indians for his Skins, they having hired him to be their Guide; That John Cartlidge gave the Sennikae some small Quantities of Punch and Rum three times that Evening, as he Remembers, as a ffree Gift, and then sold him some Rum; That both the Sinnekae and this Examinant were drunk that Night; That in the Morning the Sinnekae said he must have more Rum, for that he had not received all he had bought; That accordingly he went to John Cartlidge and demanded it, but that John denied to give him any, and taking the Pott out of the Indians hand threw it away; That the Sinnekae told him he need not be angry with him for asking more for he owed it to him, and he still pressed him to give it; That John then pushed the Indian down who fell with his Neck cross a ſaln tree, where he lay for some time, and then rising walk'd up to his Cabin; That this Examinant was then by the Fire, which was he thinks about thirty or forty, others say a hundred paces from the Cabin; That he saw John Cartlidge stripping off his Clothes near the ffire; That then this Examinant went up towards the Cabin and saw the Sinneka sitting on the ground with the Blood running down his Neck, and that John Cartlidge when he came up kick'd him on the ffore head with his

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Foot; That this Deponent was in Liquor at the time and knows no more. Being asked if he saw any Gun, he says he saw none.

Aquannachke, the Shawana, aged in appearance about twenty two years, says, That he came to the same place with John Cartlidge and his Company, that the Sinneka had Liquor over night, and was drunk with it; That He and the Ganawese sate up all Night, but this Examinant went to sleep. The next Day the Sinneka asked for more Rum of John Cartlidge, who refused to give him any; that John threw away the pott, and upon the Indian still pressing for more Liquor threw him down cross a Tree, that the Indian rising made up to his Cabin; That William Wilkins followed him and met him coming out of the Cabin with his Gun, That Wilkins laid hold of him & the Gun and they both struggled, but not much; That Edmund Cartlidge coming up forced the Gun from the Indian, struck him three Blows on the Head with it, with which it broke. He struck him also on the Collar Bone; That John Cartlidge being at the Fire there stript off his Clothes, and coming up kick'd the Indian on the side and broke two of his Ribs; That the man then bled at the Mouth and Nose and was unable to speak, but rattled in the Throat; That John Cartlidge with his Company went to the Fire, made up his Goods and came away; That the Sinneka in the mean time went into his Cabin where these Shawanese Lads left him, and followed John Cartlidge to trade with him; That this happened about nine in the morning, and John Cartlidge himself says, he left the place at ten by his watch.

Metheequeyta, the other Shawana Lad, aged about seventeen or eighteen years, confirms what the other Young Man his Companion has said, and declares he can say nothing farther.

Hereupon, great Pains were taken and Endeavours used to perswade these Evidences, to declare of themselves all that they particularly knew without considering what the others had said, or were supposed by them to say, for they were kept apart during the Examination, but the Indians could not be prevailed with, alledging it was to no purpose to repeat what others had already declared, and it was by many leading Questions that Acquanachke was induced to mention any part of what the Ganawese had said before.

Weenepeeweytah, the Squaw, was then examined and said, That she was in the Cabin when her husband came in for the Gun, that She shrieked out, and endeavoured to hinder him from carrying it out, but could not; That She followed him, and Wilkins being then by the Cabin laid Hold of the Gun, but could not take it from him; That Edmund forced it out of his Hands and struck him first on the Shoulder, and then thrice upon the Head, and broke the Gun with the Blows; That John Cartlidge stript off his Clothes and coming up to them found the Indian sitting, and he then gave him one Kick on the side with his foot, and struck him with his fist; That the man never spake after he received the Blows, save that after he got into

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the Cabin he said his Friends had killed him; That a great Quantity of Blood came from his wounds, which clotted on the Bear Skin on which he lay; That his Mouth and Nose were full of Blood; That he died the next Day, about the same time he was wounded the Day before; That she was a lone with the Corps, and went to seek some help to Bury him; That in the mean time an Indian Woman, wife to Passalty of Conestogoe, with the Hermaphrodite of the same place coming thither by accident, and finding the Man dead buried him in the Cabin, and were gone from thence before She returned, but She met them in the way and understood by them that they had laid him in the Ground.

Passalty's Wife and the Hermaphrodite being called, declare that Kannannowach, a Cayoogoe Indian, was the first who found the Man dead, and that he hired them to go bury him lest the Beasts or Fowls should eat him; That it was about seven Days after his Death that they went thither, for the Body then Stunk; They found three wounds in his Head, They washed away the Blood and the Brains appeared; that two of his Ribs were broke, and his Side on that part was very black.

These, may it please the Governour, are the Examinations of the Indian Evidence which we have taken, with all the Exactness that was in our power, and with the utmost Impartiality. We confess we had not reason to be fully satisfied with the management of the three Shawana Indians, viz: the two Lads and the Squaw, especially the two first, for they seem all to have agreed on their story before hand, especially in the particular of the man's Ribs being broke, of which we conceived these two Youths could not possibly know any thing before they left the place, because they came from it much about the same time with the Cartlidge's, and therefore We judge they could hear of it no other way than by the Woman afterwards, yet they were positive in affirming; And we have here given the whole, without retrenching any thing in favour of any person whatsoever.

The Belt of Wampum was then taken up and shewed to the Indians, and they were told that it was sent from the Governour by us, to be forwarded with a message to the Sinneka Indians upon this unhappy accident. They were therefore desired to think by the morning of a proper person to carry it; That the Day being now far spent, and the Company tired, (for we sate on the Business near Eight hours) we should leave what we had further to say to the next Day, and accordingly desired them to meet us early in the same place. We then ordered two gallons of Rum made into Punch with the above, a Hundred Weight of Meat and Bread brought from John Cartlidge's, to be distributed among the company which was large, and Provisions being exceeding scarce at present among them.

The next day, viz., the 15th of March, We met the same Chiefs without other Company to consult about sending the message before mentioned, and Colonel French, by the same Interpreters, spoke to them as follows.

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Friends & Bretheren :

We informed you yesterday that we were sent by the Governour in very great Haste from Philadelphia upon the News of this unhappy Accident, which we have been enquiring into. We, therefore, had not time to bring with us any Presents to make you, nor could we indeed believe they would be expected on this occasion. We thought however, that if any should be wanted they might be easily had at Conestogoe, but find them very scarce. We have however procured two Strowd Coats to be sent to our Bretheren, the Sinnekaes, to cover our dead Friend, and this Belt of Wampum (which was again taken up) is to wipe away Tears. We yesterday recommended it to you to think of a fit person to carry the Message, which we hope you have done, and pitched upon one accordingly.

The Indians answered : They had deferred the Choice of a person till this meeting, and then they named some one of them we much desired should be the Person, but he excused himself. At Length one Skatcheetcho, a Cayoogoe of the ffive Nations, and of that next in situation to the Sinnekaes, who had for divers years resided among our Indians was chosen, and he undertook the Journey, but said he could not leave his Family, who then wanted Bread, unless they were provided for. We assured him, that the next Day six Bushels of Corn should be brought to him for his ffamilys support in his Absence, and for his own Journey he should have a Stroud Coat, a new Gun, with three pounds of powder and six pounds of Lead, which he seemed cheerfully to accept of; some Palatines, undertook on the Secretarys Promise of Pay to bring the Corn next Day; A Gun and the Lead we had from John Cartlidge, but he having no good Powder nor Strouds at home, Peter Bizaillon promised to deliver these to the Messenger as he past his House near Pexton. Soon after the two Stroud Coats were presented, one of the Conestogoe old men proposed to Civility, that John Cartlidge having before given them a Stroud, with a string of Wampum for the same purpose; these should also be sent with the others, which being approved of by the other Indians, the said Strowd and Wampum was brought and added to those we had delivered.

The Messenger being fully concluded on, We desired Civility and him to be with us in the Evening, at John Cartlidge's House, to receive the Words of our Message; but first we proposed to the Indians to send a Message from themselves in Conjunction with ours to shew their Satisfaction in our proceedings, but they gave us to understand that they could not joyn any Words of theirs to our Present, for no such thing was ever practised by the Indians, and they had no Belt ready of their own, otherwise they would send it. Civility was then privately informed that We had a Belt also for them (the Secretary having carried up two) which they might take as their own, and send it accordingly. He seemed much pleased with this, and we prepared for that time to take our Leaves; But before we did this We judged it necessary to caution them, that from the example we

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had given them of our great Care and Tenderness over them, and our Regard to our League made with them. They should be very careful on their parts not to give offence to the Christians who were settled near them, or by any means injure their Cattle or any thing belonging to them; For as we would suffer none of our People to injure them without punishing the offenders, So we could not receive Injuries without requiring Satisfaction; And this we endeavoured fully to impress upon them, After which we took Leave of them all, excepting Civility & the Messenger, and came to our Lodging at John Cartlidge's, wither also about two hours after came the said two last mentioned Indians; And to the Messenger we delivered the following Words as the signification of the Belt we sent with him, viz:

Deliver this Belt from the Governour and Government of Pensilvania to the King or Chief of the Sinnekaes, and say that the Words it brings are these.

William Penn made a firm Peace and League with the Indians in these parts near forty years agoe, which League has often been renewed and never broken, but an unhappy Accident has lately befallen us. One of our Brethren and your People has lost his Life by some of our People; Rum was the first cause of it; He was warm and brought his Gun in Anger against them. They were afraid of his Gun, took it from him, wounded him and he died. Our Governour, on the first News of it, sent us two of his Council to inquire into it. We have done it, and we are now taking the offenders to Philadia. to answer for their Fault. We send these Strowds to cover our Dead Brother, and this Belt to wipe away Tears; And when we know your mind, you shall have all further reasonable satisfaction for the Loss. Civility also receiving the other Belt privately, promised they would hold a Council the next Day among themselves, as they had before engaged to us, and sending that Belt in their own Name would give an Account by it of our Governours great Care over them, and of all our proceedings in this matter.

Being the same Day credibly informed That the five Nations had sent down a large Belt of Wampum, with the ffigure of a Rundlet and an Hatchet on it to the Indians settled upwards on Sasquehannah, with orders to stave all the Rum they met with. We judged it necessary to send by the same Messenger a public order, under our Hands and Seals, to all our Traders whom he should meet with, to acquaint them, that as their carrying of Rum to the Indians was against Law, So the Indians staving it was no more than what from time to time they had been encouraged to do, and therefore they must take care not to cause any Riot or Breach of the Peace, by making any Resistance; A Copy of which Order is here presented.

All this time from the first Day of our Arrival at Conestogoe John Cartlidge, and from the second day Edmund Cartlidge, had by virtue of our Warrant, been in the custody of the High Sheriff of Chester, who accompanied us, or in that of persons deputed by him.

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The next Morning, Civility the Messenger, and divers of the old Men came over to John Cartlidge's to see us at our Departure. The Messenger assured us He would set out the next morning, viz. the 17th, That he hoped to be with the Sinnekaes in Eight Days, and to return in thirty; That he and Civility, upon his Return, would come directly to Philada. to give an Account here of the Discharge of his Message.

We then very much pressed John Cartlidge, (Edmd. being gone before with an officer to his own House almost in our way) to hasten and go along with us. His Wife grieved almost to Distraction, and would force herself and her child with him, but was at length prevailed with to stay; This caused us some Loss of Time. The Woman's sorrows being loud the Indians went in to comfort her, and so we departed.

We have brought both John Cartlidge and Edmund Cartlidge Prisoners to Town, together with the Lad Jonathan who was present at the fflact, and have committed them to the Custody of the High Sheriff of Philadelphia, where they now are, William Wilkins was one hundred and fifty miles up Sasquehannah trading for his master, and therefore too far out of our Reach.

This, may it please the Governour, is in pursuance of our Instructions, the Report we have humbly to offer of our executing the Commission with which we were intrusted.

JAMES LOGAN,
JOHN FFRENCH.

The said Commissioners further reported, That they had caused John & Edmd. Cartlidge to be brought to Philadelphia, where they now remain in the Sheriff's Custody, by virtue of their Warrant, for suspicion of Killing the Indian mentioned in their Report, which in their humble opinion was the highest Cause of Commitment that the Evidence taken before them, as it is narrated in their Report would admit of.

That the Body of the Indian supposed to be Killed had been buried about six weeks before their arrival at Conestogoe, in a solitary uninhabited wilderness, three Days Journey from thence; So that it was not only out of time to have a satisfactory view taken of the same, but also it was then impracticable for them to get such a Number of Christians to undertake that Journey as would constitute a legal Jury.

Hereupon, it was the unanimous Opinion of the Board, That the Commrs. had faithfully and diligently executed the Trust reposed in them, and after some time spent in reasoning upon the most legal, as well as prudential methods, that in this uncommon and extraordinary Case could be taken for a more clear Discovery of the Truth in order to being the offenders to Justice; the further Consideration thereof was deferred untill to morrow at three in the afternoon.

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David Evans, Deputy Sheriff of Philadelphia attending, was called in and ordered to keep the said prisoners, John and Edmund Cartlidge, in safe Custody, by virtue of the Commrs. Warrant whereby they stand already committed, And that He produce Jonathan Swindel, John Cartlidge's Servant, before this Board to Morrow at three in the afternoon.

At a Council held at Philadelphia, March the 22d, 1721.

PRESENT:

The Honorable Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Thomas Masters,
Samuel Preston,	Andrew Hamilton, Att. Genl.,
Jonathan Dickinson,	Henry Brooke,
Colo. John ffrench,	James Logan, Secry.

The Consideration of the Case of John & Edmond Cartlidge being resumed, Jonathan Swindel, an Evidence who attended in the Sheriffs Custody, was called in and examined upon Oath; but his Deposition or Evidence not appearing to warrant any higher Cause of Commitment than what the Commissioners at Conestogoe had already made, viz: the Suspicion of Killing, it was not thought proper to alter the Commitment of the Prisoners, but leave them in the hands of the Law. It being hereupon observed, that there was two vacancies in the standing Commission of Oyer & Terminer, and that perhaps the Circumstances of this affair might require a Special Commission limited to Time and place; The Clerk was ordered to produce a Copy of the last Commission of Oyer & Terminer for the Tryal of Capital Crimes and Felonies of Death; Which being read, the Board was of opinion that if the said Commission, with some amendments mentioned by the Attorney Genl. was renewed, and the Vacancies filled up, it would answer this as well as all other Cases of the like Nature.

A Petition from John & Edmd. Cartlidge was presented to the Board, and read, setting forth, That they are heartily sorry for the Death of the Indian (if He be really dead) on Suspicion whereof they now stand committed; That they had no Intention to hurt or injure the said Indian, but that what they did was in their own Defence and for preservation of their Lives. Nor can they believe that what was done on their part by reason of the amazing Surprize they were in, and be the occasion of the said Indians Death; They therefore earnestly pray for a Speedy Tryal, (if this Board finds a Tryal necessary) or otherwise that they may be admitted to Bail, which they conceive to be a Priviledge due to them by the Law of the Land.

After some Reasoning upon the subject of this Petition, the Question was put, Whether the Petitioners ought to be admitted to Bail or not? and it carried in the affirmative, And Mr. Attorney was desired to prepare the Conditions of their Recognizance against Saturday morning next, the 24th instant, to be then agreed to by the

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Board, and afterwards taken & executed at the Court House, before the Governour, in the most public manner; And it is ordered, that the Petitioners in the mean time have Notice to provide sufficient Bail.

It was moved and readily agreed to by the Governour, that John Cartlidge's Name be struck out of the Commission of the Peace for the County of Chester.

The Secretary and Colonel French laid before the Board an Account of the Charge of their late Negotiation with the Indians at Conestogoe, being Nineteen pounds Eighteen Shills. and nine pence cash disbursed, Which is allowed by this Board, together with twenty Shillings per Diem to each of the said Gentlemen for the time spent in that Journey, being eleven Days, amounting in the whole to the Summ of Forty one pounds 18s. 9d., which is ordered to be laid before the Assembly for an order of Payment, at the same time with the Accott. of the Charge of the Treaty with the Deputys of the ffive Nations, At Conestogoe in July last, the Ballance thereupon due being One Hundred & fourteen Pounds fourteen Shillings, allowed by this Board, and ordered to be laid before that House.

At a Council held at Philadelphia, March the 24th, 1721.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,	Andrew Hamilton, Att. Genl.,
Isaac Norris,	Henry Brooke,
Thomas Masters,	James Logan, Secretary.

Pursuant to the Resolution of the last meeting of this Board, John & Edmd. Cartlidge appeared before the Governour & Council, at the Court House, and became bound by Recognizance to the Kings Majesty in manner following, viz: the said John Cartlidge in the Summ of ffive hundred pounds with Edward Farmer of the County of Philada, Gent., and John Davis of the City of Philada., Taylor, his Suretys in the Summ of two hundred and fifty pounds each, And the said Edmond Cartlidge in the like Summ of £500, with Charles Read of the City of Philada., Mercht., and James Steel of Philada., Gent., his Sureties in the Summ of £250 each, to be levied of their and every of their Goods & Chattels, Lands & Tenements, for the use of our Sovereign Lord the King, Sub-Conditione.

That the said John Cartlidge shall make his personal appearance before the Governour & Council of this province of Philadelphia, the twentieth Day of April next, then and there to make Answer to such matters as on his Matys Behalf, shall be objected against him concerning the Death of Saanteenee, an Indian, which the said

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John Cartlidge is suspected wilfully to have slain upon a sudden falling out, And that He, the said John Cartlidge, in the mean time do keep the Peace of our said Sovereign Lord the King, towards the Kings Maty and all his Liege People, and all these Nations of Indians in Peace & Amity with this Government. And that in the mean time He, the said Jno. Cartlidge, shall not go over the River Susquehannah to trade, deal or barter with any Indians; That then and from thenceforth this present Recognizance shall be frustrate and made void, or else to remain in full force and virtue.

And the said Recognizance being duly acknowledged by the said John and Edmd. Cartlidge, with their respective Surities above named, They were dismissed.

At a Council held At Philadelphia, March the 28th, 1722.

PRESENT:

The Honourable Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,	Thomas Masters,
Isaac Norris,	Andrew Hamilton, Att. Genl.,
Samuel Preston,	Henry Brooke,
Anthony Palmer,	James Logan, Secretary.

Present also, David Lloyd, Esqr., Chief Justice.

There having been occasion lately to take Notice in Council of two Vacancies in the Commn. of the Supreme Court, the Governour acquainted the Board, That He had called them together at this time Chiefly to advice with them upon that Head. Observing to them, That as it had hitherto been the Practice to keep the same Equality upon that Bench as at this Board, between those of the Church of England and the People called Quakers; They were now to think of recommending two Churchmen to the Governour, who in their opinions, would be fit to act in the said Commission along with the Chief Justice and Mr. Hill; But the members seeming inclined to have a litle more time to consider of fit persons for filling up the said Vacancies; the consideration thereof was referred unto the next meeting of the Council.

Whereas the Governour has acquainted the Board, That He has made a considerable Advancement in the Erecting of a Building at Horsham, in the County of Philadelphia, in Order to carry on a Manufacture of Grain, &c., And that it is necessary some convenient public Roads and Highways through the Woods to and from the said Settlement, be laid out by order of this Board.

It is therefore, at the Governours Request, ordered, That Robert ffletcher, Peter Chamberlin, Richard Carver, Thos. Iredale, John Barns & Ellis Davis, or any four of them, do run out and make Return of a convenient publick Road and High way, from the Governour's Settlement at Horsham to the Meeting House there, and from

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thence to a small Bridge, commonly called the Round Meadow Run, where it meets again with Abingdon or New York Road. And also, that the said Robert ffletcher, Peter Chamberlin, Richd. Carver, Thomas Iredale, John Barns & Ellis Davis, or any four of them, do run out and make Return of a Road and High Way, to begin at the Intersection of the said New York Road with the Division Line between the Counties of Philadia. and Bucks, to be continued upon the said Line upwards, as far as they shall judge convenient or necessary for accommodating that Neighbourhood; And it is ordered, that the Returns of the said Roads be made in thirty Days after this date.

An Address to the Governour from David Lloyd & Nathaniel Newlin, in behalf of themselves and the other Commissioners appointed by Act of Assembly for the County of Chester, was read by the Governours order, as properly relating to this Board, notwithstanding the said persons thought fit to direct it to the Governour only, setting forth the Inconveniences which may ensue from the Order of this Board, for the first of February last, upon a Petition from divers Inhabitants on the South Side of and adjacent to the River Schuylkill, who were taxed both in Philadelphia and Chester County, and praying such relief from the unrighteous Attempts of the said persons to sever themselves from the said County of Chester, as the Governour in his Wisdom should think fit.

The said David Lloyd being present was told, That the order of the Governour & Council of the first of ffebruary last, to which their Address had relation, imported only, that no regular Division of the Counties of Philadelphia and Chester had yet appeared to this Board, And that the Collectors of the Taxes for the County of Chester were ordered to forbear calling upon or levying those Taxes on such persons only as heretofore had paid to and were now taxed in the county of Philadelphia, which were not above six in Number, ffor that it was unreasonable they should pay to two Counties the same Taxes for the same Lands or Estates; And that the order itself plainly declared, That this Injunction was intended to continue no longer than till such time as the Limits of these two Counties could be adjusted and fixed; That it was of great Importance that they should without Delay be fixed, And as the Address implies that this has already been done, the Commissioners of Chester County were desired to make it appear to the Board accordingly.

David Lloyd replied, That there were persons yet living who remembered the running of the Division Lines, which was done He believes about the year 1688, under the Administration of Governour Blackwell, but that they Knew not where to apply for any Record or written proofs of it, except to the Secretary, in whose Custody all things of this Kind should be kept.

The Secretary hereupon informed the Board, That He succeeded

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Patrick Robinson in the year 1700 in that office; That the said Patrick dying not long after, He had never received from his Widow and Relict any of the Papers relating to the Secretary's office; That orders at his Instance had been issued by the Governour & Council, for the Delivery of all such Papers then in the Custody of the said Relict or of her Husband, Griffith Jones, who had then intermarried with her. But that by an Assembly of this Province, of which David Lloyd was Speaker, and the said Jones a Member, It was ordered, as might he believed be yet found on their Minutes; That the Papers and Writings of public Concern left by Patrick Robinson, in the hands of his Widow, should be kept by the said Griffith Jones, So that He (the Secry) could never obtain them; That the said Griffith Jones being since dead, and his Widow intermarried with John Swift, he suppose those Writings might now be in the said John's Custody.

The Inconveniency as well as Indecency of suffering such matters of Importance to the Public to lie in any private Hands whatsoever, or out of the Office they properly belonged to, being taken into Consideration, It is ordered, That the Secretary and Attorney Genl. shall without Delay call upon the said John Swift or his Wife, the Relict of the said Patrick Robinson, for all such Records, Papers and Writings relating to the Govmt. or that are of a publick Concern, as were in the Custody of the said Patrick Robinson at the time of his Decease, and upon all and every other person and persons in whose hands any such Records, Papers or Writings may be found, and take the same into their Custody, to be delivered into and kept in the Secretary's Office, to which they properly belong; And of their proceedings herein they are to make Report to this Board.

The Secretary also is ordered to make a further Search for the proofs that have been mentioned of the Division Line between the Counties of Philadelphia & Chester.

At a Council held at Philadelphia, April 16th, 1722.

PRESENT:

The Honourable Sr. WILLIAM KEITH, Esqr., Bart., Governour.

Richard Hill,
Samuel Preston,
Andrew Hamilton,
Isaac Norris,
Anthony Palmer,
Henry Brooke,
James Logan, Secretary.

The Governour spoke as follows.

Gentlemen of the Council:

Upon some Information I lately received, that the Indians were like to be disturbed by the Secret and Underhand Practices of Persons, both from MaryLand and this Place, who under the Pretence

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of finding a Copper Mine, were about to Survey and take up Lands on the other side of the River Sasquehannah, contrary to a former Order of this Government; I not only sent up a Special Messenger with a Writ under the Lesser Seal to prevent them, but took this Occasion to go towards the Upper parts of Chester County myself, in order to Locate a small quantity of Land unto which I had purchased an original Proprietary Right; And understanding further upon the Road, that some Persons were actually come with a Mary Land Right to Survey Lands upon Sasquehanna, fifteen miles above Conestogoe, I pursued my course directly thither, and happily arrived but a very few hours in time to prevent the Execution of their Design.

Having the Surveyor General of this Province along with me in Company, after a little Consideration, I ordered him to Locate and survey some part of the Right I possessed, viz: only five hundred acres upon that Spot on the other Side Sasquehannah, which was like to prove a Bone of Contention, and breed so much mischief, and he did so accordingly upon the fourth & 5th days of this Instant April, after which I returned to Conestogoe, in order to discourse with the Indians upon what happened; But in my way thither, I was very much surprized with a certain account that the young men of Conestogoe had made a famous Warr Dance the night before, and that they were all going out to War immediately; Hereupon, I appointed a Council to be Held with the Indians next morning in Civilities Cabin, and these are the minutes which I carefully took myself of all that pass'd between me and the Indians.

[Here y^e^ Minutes should have been inserted, but they never having come to my hands, the opposite leaf is left blank for ym.]

The Governour laid before the Board a Commission under his hand and the Lesser Seal of the Province, in the Kings Stile, dated the 31st day of March last, & directed to Joseph Pidgeon, mentioning certain Stipulations between the Governours & Councils of Mary Land and this Province, that no Surveys or Settlements should be made by any private Person whatever, on the west side of Sasquehannah by Rights from either Province, and thereupon, and for preventing any disturbance to the Indians, by means of such Surveys or Settlements, impowering and requiring the said Joseph Pidgeon, and his Deputies, to make diligent enquiry and search after any Person or Persons, who under the pretence of Land Rights from Mary Land or from this Province shall presume to survey or settle any Lands within ten miles distance of Sasquehanna to the Westward, and not only to forbid all persons to survey as aforesd., but by force to restrain them; And the Governour directing his discourse to Richard Hill, Isaac Norris, and James Logan, Proprietary Agents or Commissrs. of Property for this Province, and three Lower Counties, complained that James Steel, (the person who for some Years past has been intrusted with the management of the Land Office under the sd. Agents) without paying the Regard due to

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the Governours Authority expressed in the sd. Commissn. had pretended to Survey Land over the River Sasquehannah, notwithstanding the Person or Persons deputed by virtue of the sd. Commission had forbid him, which action as it appeared a Contempt of the Governours authority, and might be of unhappy Consequence with the Indians, as being contrary to what the Govern. in his Treaty two or three days before had stipulated with them. He was obliged to take notice of it and call the sd. James Steel to an account for it, but first the Governour desired to know if James Steel had any directions from the said Agents or Commissioners for his proceeding herein.

The Commissrs. answered that James Steel had orders from them to make a Survey beyond Sasquehannah, and for these orders it concerned them to Answer; but if he had behaved himself disorderly, or had tresspass'd against any Legal order of Government, (to which they were wholly strangers) They should not Justify him in it. However, as the matter seemed to them to relate to an affair of Property, they conceived it lay not properly before the Board, to take any Cognizance of the matter.

NOTE—See the Minutes of March 15th, 1724–5, and 13th of same month.

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At a Council Held at Philadelphia, April 20th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Andrew Hamilton, Attny. Genl.,
Isaac Norris,	Henry Brooke,
Anthony Palmer,	James Logan, Secretary.
Thomas Masters,	

Cartlidge's affair. John & Edmund Cartlidge appeared before the Govrnour in Council, and desired that their appearance might be Entered in Discharge of the Condition of their Recognizance, and the Sheriff of Philadelphia being called in, the Govr. imediately Committed the said John & Edmund Cartlidge into his Custody, untill they should be discharged therefrom by due Course of Law.

And then they withdrew.

The Governr. desired that the Board would give him their Opinions, whether in case the sd. John & Edmund Cartlidge did insist upon the priviledge of being again admitted to Bail upon Habeas Corpus, it could be legally denied them. To which the Attorney Genl. said, that there being no other or more prooff against them now, than what appeared at the time of their being first admitted to Bail, if they demanded it. He did not think the Priviledge of a Habeas

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Corpus could be legally refused, and the Board acquiesced in the the same opinion.

The Governour laid before the Board several Bills sent up from the Assembly at their last Session, one of which being read, the further Consideration of the said Bill is deferred untill Tuesday next, the 24th inst., at nine in the morning, unto which time the Council is adjourned.

At a Council held at Philadelphia, April 30th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,	Thomas Masters,
Isaac Norris,	Andrw. Hamilton, Att. Genl.
Saml. Preston,	Henry Brooke,
Antho. Palmer,	James Logan, Secretary.

Ordered, that the Provincial Treasurer pay unto Samuel Robins the Sum of Ten Pounds, which with five pounds formerly paid him by the Secretary, (and of which it is hereby also ordered that the Secretary be forthwith reimbursed out of the publick Treasury) is allowed him by this Board, in consideration of his being sent Express to Virginia in the month of February, A°. 1720, for the Service of the Publick, wch said Summs the Treasurer is hereby directed to Charge to Accott. of Indian Treaties for the said year 1720.

The Govr. laid before the Board a Bill sent up from the Assembly, entituled An Act for Vesting

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The Board unanimously agreed in the Justice and Equitable Intention of the said Bill; But considering its importance, and some Amendments being also proposed, It is recommended to the Secretary & Attorney Genl. to peruse and make their Observations thereupon, and that they Report the same to the Govr. or the the Govr. & this Board, in order to be further Considered of before the Bill is returned to the Assembly.

The Clerk presented the Returns of two Roads laid out by order of this Board, the 28th of March last, which were read, and ordered to be laid before the Council at another meeting.

At a Council held at Philadia., May 3d, 1722.

PRESENT.

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Isaac Norris,
Samuel Preston,	Henry Brooke.

Some Amendments were proposed by the Governour, with the Advice of the Council, to the Bill entituled An act for imposing a Duty

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on Persons convicted of heinous Crimes, and imported into this Province as Servants or otherwise.

The Messenger sent by the Secretary to Colo. French, from Conestogoe to the Five Nations, being returned with Civility, and some other Indians from Conestogoe along with him, to morrow at ten in the morning is appointed to receive the Indians Answer in Council; And it is ordered that the Assembly now sitting have notice by a Message from the Governour, to be present at Council if they think fit.

At a Council held at Philadelphia, May 4th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Anthony Palmer,
Samuel Preston,	Henry Brooke,
Andw. Hamilton, Att. Genl.	James Logan, Secretary.
Isaac Norris,	

PRESENT ALSO:

Conestogoe Indians: Tacuttelence als Civility, Satcheechoa, the Messenger sent to the five Nations now returned, Tiollhanse, Collhageherad.

Civility, Interpreter from the Minguay into the Delaware Language, & Edward Farmer, Sworn Interpreter from the Delaware into English.

The Governour spoke to the Indians as follows.

The Governour and his Council are here to receive the Words of their great friends and Allies the five Nations, And we are glad that our dear Brother Capt. Civility is also here to give us a faithful Interpretation, that We may clearly see into the Hearts and Breasts of our good Friends.

Civility says, That the Chiefs of the Shawanois & Cayugoes intended to have been present at this Council, but that Provisions being very scarce in their Towns, they could not leave their Families destitute of their Assistance.

The Govr. desired the Indians to proceed & deliver what they had to say to him & his Council.

Ansr. from the 5 Nations. } Then Satcheechoe delivered the Answer of the Five Nations, which was interpreted as follows.

That James Logan came up to Conestogoe from the Govr. on the News of one of their Cousins being killed, to acquaint them of our great sorrow for the unhappy accident, and had delivered a Belt of Wampum to wipe away their tears; They had received that Belt, and now returned another also to wipe away ours.

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He delivers another Belt of Wampum and says, That they are thus far well pleased in what is done; That they hope the Bones of the Dead man will be taken care of and kept in memory, & that they desire a good understanding may be preserved between them & us; That they have received also from the Govr. two Strouds which they will keep as long as they live, but do not receive them as any Satisfaction for the Loss of their Brother.

He presents another Belt and says, That when James Logan delivered the Belt to be sent to them, He said it was desired that two of their Kings or Chief men might come down to us to Agree upon what Satisfaction should be made to them for the Loss of their Relation; That all things being well understood between them and us, no heartburning should be left; They accepted that Belt & Message, and were willing that there should be no Heart-burning, and as a Token of it they sent this, Belt now presented in Return, but they would not come to us on this occasion.

He presents another Belt from the Chief of all the Five Nations, who says, This Governmt. sent up two members of Council to Conestogoe upon this Business, but two Persons were not sufficient to make it up and answer for a whole Country. They expect a greater number of People, & now send this Belt to require the Governour to go up to him, For as the offence was committed by the English, it is the Govrs. Duty to go up to them, and not theirs to come to us; That this Belt is to shew the Governour that He may come safely to them, and when he is there all things shall be fully accommodated; That they are now making War with the Cheekaragoes, but on the Governours coming they may make Peace with those People, & so have Peace with all the Main.

He presents four small strings of Wampum & says, That these are sent as a string to draw away the Governour as by the arm immediately, even this day without any Loss of time that so all may be friends together.

The Governour then told the Indians that he would cause notice to be given them when they should attend to receive his Answer.

And the Council was adjourned to four o'clock in the afternoon.

And accordingly, May 4th, P. M.

PRESENT:

The Honble Sir WILLIAM KIETH, Bart., Govr.; and the same members as in the forenoon.

The Message from the five Nations this day delivered to the Govr. in Council, in Answer to that sent them by the Secretary & Colo. French from Conestogoe, being now taken into Consideration; And the Govr. and every member present having severally delivered their Opinions of the nature of the answer to be returned them on the part of this Governmt., and the manner in which the same is to be conveyed to their hands; It is recommended to the Secretary to draw

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up the Resolutions of the Board thereupon, in order to be reported and approved by the Board to morrow morning, against which time the Govr. is pleased to undertake to prepare what may be proper to be said to our own Indians on this occasion, to be laid before the Board at the same time.

Cartlidge's Committee. } Resolved, That John & Edmund Cartlidge be delivered into the hands of the proper Magistrates in order to be prosecuted according to Law, and that they continue in Custody of the Sheriff of Philada., by virtue of the Governrs. Commitment.

The Governour acquainted the Board, that he had returned to the House of Representatives the Bills which the Council had under consideration, on Tuesday last the first inst., with the amendmts. then proposed, that since that time the Assembly having again sent up the said Bills, with their objections to the said Amendmts. He had by a message acquainted them, that to save their time & a Charge to the Country, He would not insist upon his amendmts. to the Impost & Negro Bills, but adhered to those made to the other Bills, viz.: to the Supplementary Act for the more effectual raising of County Rates & Levies, and the Bill for encouraging the making of good Beer & Consumption of Grain in this Province.

Which Bills, together with two other Bills sent up this afternoon from the Assembly, viz: An act for laying an Excise on Wine & Rum, & An act to prevent the Exportation of Flour not merchantable, are referred to Richard Hill, Saml. Preston, the Secretary & Attorney Genl., who are appointed a committee to confer with a Committee of the House of Representatives upon the said Bills, with Power to make such Alterations & Amendmts. therein as they shall judge expedient, and are ordered to Report the same to the Board.

At a Council held at Philadelphia, May 5th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Isaac Norris,
Saml. Preston,	Thomas Masters,
Henry Brooke,	James Logan, Secretary.

The Draught of the Message to the Five Nations, as also the Governours Speech to be delivered to our own Indians, yesterday recommended to be prepared were laid before the Board, and the subject matter of both further discoursed of and referr'd to the next meeting of Council.

The House of Representatives waited upon the Govr. according to order, and presented for his Approbation a Bill entituled An act for imposing a Duty on Persons convicted of heinous Crimes and imported into this Province.

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To which the Govr. gave his Assent and passed it into a Law of this Province, and ordered the same to be sealed & published forthwith.

The Governr. acquainted the Assembly, that the Bills which were sent him yesterday from their House were referred to a Committee of the Council, & desired that they would appoint a Committee of their House to confer with the said Committee of Council thereupon.

At a Council held at Philadelphia, May 9th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Isaac Norris,
Saml. Preston,	Thomas Masters,
Andw. Hamilton, Att. Genl.,	James Logan, Secretary.

The Secretary from the Committee of Council appointed on Friday last, y^e^ 4th inst., to Confer with a Committee of the House of Representatives upon the Bills then referr'd to them, reported the Amendmts. made to the said Bills, and particularly took notice of the Proposal made by the Committee of this Board, That there be a Clause inserted or added to the Supplementary Act for raising County Levies, or in a separate Bill, For making Tickets for Elections distinct.

A Bill sent up from the Assembly, entituled An act for the encouragmt. of raising Hemp in this Province & making the same Current Pay, was read and considered, to which several Amendments were proposed.

Also two other Bills, viz: An act for settling a Ferry at Thomas Yardly's, &c., and An act for Establishing a Ferry at the end of the High Street of Philadelphia, were severally read & Considered; To the first of which The Govr. has nothing to object, only recommends it to the House to review the Language & to give it a Title.

As to the other, viz: That for establishing a Ferry at the End of the high Street of Philada. The Govr. is of opinion that the ferry's now erected & used are sufficient for the present; That there are divers considerable Works in the City now in Hand which ought first to be finished, & then the proposal may more seasonably be considered.

The Governour drew up the following Message to the Assembly, which was read and approved by the Board, and ordered to be sent to the House immediately. The Message was in these words.

Mr. Speaker & Gentlemen of the Assembly:

After I had received the answer of the Five Nations to our Message from Conestogoe, I did with a due Regard to the publick Justice of

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this Government, & to what you had recommended to me from your House, give the necessary & proper orders by advice of the Council for committing & prosecuting John & Edmund Cartlidge according to the common Course of the Laws. But still I find that all our just expectations in the Issue of that affair, as well as in accommodating matters with the Indians to Content, are in danger of being frustrated if some Provision is not forthwith made by the Assembly for defraying the Charge & Expence that must necessarily attend the putting our Deliberations & Resolutions in Council into Practice.

I must therefore desire that your House will now take the following particulars into your Consideration, & to acquaint me with your Resolutions thereupon as soon as may be.

1. That before the Govr. can promise to meet the Sachims of the Five Nations at Albany this Summer, as it seems they expect, It is necessary that the Assembly come to a Resolution to support the Charge of that Journey, and of the Presents that must be there made to the Indians upon renewing all our former Treaties of Friendship with them.

2. That the House will please immediately to issue an order upon the Provincial Treasurer, to pay in Course what the Governour & Council thinks proper to be given to the Indians at their Departure, and to confirm what the Governour has now to say to the Sachims of the Five Nations by the Return of the same Messenger.

3. That good & creditable men may be readily prevailed with to accept of the Vacancies which are now in the Commission of the Supreme Court, the Assembly will please to declare, whether they will make any allowance by way of Salary to the other Judges as well as to the Chief Justice, & how much may be expected for that service.

At a Council held in the Court House in Philada., May 11th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Govr.

Richard Hill,	Isaac Norris,
Saml. Preston,	Colo. John French,
Thomas Masters,	Andw. Hamilton, Att. Genl.

PRESENT ALSO:

Edward Farmer & Alice Kirk, sworn Interpreters from the English into Delaware, & Civility, Interpreter from the Delaware into the Minguay Language, and many other People & Indians.

The Govr. made the following Speech, to be delivered by the Messenger Satcheechoe, to the Chiefs of the five Nations, in these words, viz:

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2d message to y^e 5 Nations. Tell my great Brother & good Friend, Saccuncheuta, and the other Chiefs of the Five Nations, That we have with great pleasure received the Return of our faithful messenger Satcheechoe, and we joyfully accept the four Belts & Strings of Wampum which they sent to us by him. I am glad to find that the Brethren have open & clear hearts filled with Love & affection to their friends here. My heart was indeed filled with sorrow for the Loss of our Brother who is dead, yet since my great friend Sacauncheuta & the rest of the Brethren desire us to wipe away our tears, we will dry them, but our Grief still remains. Our Message from Conestogoe was only sent to Express our sorrow, & not to offer any satisfaction for our Brothers death. We have already taken & shall continue to pursue the same measures with the offenders as if an Englishman had lost his Life, but they must be judged by the Laws of our Great King, which make a difference between the case of a man Killed in a Quarrel through heat of Blood, and when the Design is form'd in the mind before hand to destroy or kill a man.

I would rejoice to see any of the Chiefs of the Five Nations here, and I would treat them like Brothers & true friends whom I loved. But I do not find in the written words of the Message sent from Conestogoe, by Sacheechoe, which my two Counsellors put down & brought back to us, that we desired any of the Chiefs of the great Five Nations to come to us just now. But when I have done what the Laws of our great King directs to be done, for punishing those who have caused us this Grief, then I shall be glad to see any great men that the Brethren will please to send either to Conestogoe or this place, and then every Link of that Strong Chain between us shall be made as bright & clear as the Sun.

I would go with pleasure a great way to see my great friend Sacauncheuta & the Brethren at their own habitations. But I cannot travel unless it be upon a Horse or in a Ship, and I am just now very busie with my Assembly making Laws to hinder the Christians from carrying Rum out in the Woods to hurt the Indians, that we may prevent any more occasions of bringing grief into our hearts.

The Brethren know very well, that the Governour of Virginia has promised either to come himself or to send Ambassadors to meet them at Albany this Summer; if therefore, my great & good friend the Governr. of New York will please to go to Albany at the same time, I shall be glad to go along with him, that I may eat, drink, & discourse with all the Brethren & open our Breasts to one another.

I hope my great friends, the Sachims of the Five Nations, received all the words of Peace & Friendship which I spoke to their Ambassadors at Conestogoe last Summer, and also the picture in Gold of the great King George my master, which I then sent to my great friend Kennygouhaa, as a token of the firm & lasting friendship then established between us and the five Nations. I rejoiced to

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hear that the Ambassadors had also renewed & brightened the Chain with the English in Virginia. But I was very sorry & shed tears, when they told me that Ghesaont was dead, for I loved him as a Brother that had a brave & true heart. But I know the Brethren have many great & good men remaining still amongst them, and whensoever they please to consult with me, I will not only write & send messengers, but also go myself and labour to make peace for them, with any Nation or People who either are at War with them or threaten to disturb them.

I hear that our Brother who is dead was a near Kinsman to my great friend Sacauncheuta, I therefore send him a mourning Ring off my own finger, to be put upon his finger, to signify that I will always have the same Regard for his Kindred as if they were my own Kindred, for after this manner it is that we remember the Death of our nearest Relations and friends amongst the English.

Brother Satcheechoe,

Tell the Great Five Nations, that as I am now in the place of the Great William Penn, their old friend and Governour of this Country under the Great King of England, I and all the English here under my Government are with open and true hearts, faithfull friends to the Five Nations, and so long as they keep their Leagues & Treaties with the English Governments, they may be assured & depend upon it that their friends shall be our friends, & so we shall remain as one People together by a Chain that can never be broken.

To confirm these words, The Governour has instead of Belts sent to the Sachims of the Five Nations the following things, viz:

Five of the finest Calico Shirts,
five pair of fine Silk Stockings,
five pair of Silk Garters, and
five Silk Handkerchiefs.

After which, The Governour spoke to the Conestogoe Indians as follows:

Friends & Brothers of Conestogoe:

Speech to the Conestogoes. } It makes our hearts glad to see how carefull & diligent you are to brighten the Chain & make it strong between us and your Kinsmen, our good Allies the Five Nations.

We know the five Nations to be a Wise People but they live a great way off, and many words that we send to them & they send to us may be lost by the way & never told, because the English Interpreters do not understand the Indian Language so well as you. When at any time, therefore, you do not so clearly understand what we say for want of a good interpreter, you must look upon our faces and observe our actions, for by that you will know our hearts and we shall do the same by you.

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Friends & Brothers of Conestogoe,

You are the same flesh and blood with us, and we are all men, sometimes wise & sometimes weak. You Honr. and Esteem a wise man amongst you, and so do we. But if any of our people committ a wicked & foolish action our Laws will punish him for it, and he cannot escape or buy it off, with any Ransom. Our Laws are all written down, and it is the will of our Great King that We obey them exactly even against our nearest Relation or Friend that does wickedly, otherways we shall be punished ourselves.

The chief Law amongst the English is, That when any man, let him be never so great, has done an injury to another man, let him be never so poor, We judge him after the same manner, and inflict the same punishment upon the guilty Person as if he had done the Injury to the greatest man amongst us.

It is true, We delayed some time untill we heard from our good Friends the Five Fations. But now you see with your own eyes, That these men who are suspected to have kill'd your Kinsman and our Brother, must be tryed & judged by our Laws in the same manner as if they kill'd an Englishman; And this is the will of our great King, who loves the Indians so much, That he Commands all his People to do the same Justice to them, and have the same Regard for them as he constantly does, & shews to his own people on the other side of the great Lake. Whatsoever therefore you hear is done with these men, John & Edmond Cartlidge, do not think that it is done by us as we please, or that we can act after another manner to please any body, for it must be so done by force of the Laws of our Great King that are written down, and we cannot alter or disobey them in the least point,

We have heard that it is a Custom amongst you, when an Indian happens to be Killed, that his Relations often demand & expect Money or Goods for satisfaction. But the Laws of our Great King will not suffer any such thing to be done amongst us. We first examine all persons that can tell us the Truth, and if we find that any man who has killed another had thought upon it in his mind, and was resolved to commit that wicked deed, such a man by our Laws must die. But if we understand, that the man who was killed had provoked the other by doing any act whereby he intended to hurt him; so that he suddenly killed the man in his Passion without having time to consider or think upon it. Our Law will not put such a man to Death the first time he commits that fault, But if he does so a second time by killing another man after the same manner, then he will be put to Death by the Laws of our Great King, which Laws must be strictly kept and obeyed without making any difference or distinction between the greatest and the poorest man amongst us. I say all these things to you that you may lay them up in your hearts, and tell them to your People & to your Children, and then they will know us to be just and good men, and that we love them as our own flesh and Blood.

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At a Council held At Philadelphia, May 12th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Saml. Preston,
Thomas Masters,
Isaac Norris,
Colo. John French,
Andr. Hamilton, Att. Genl.,
James Logan, Secretary.

Several amendments were proposed to the Bill for regulating the Guaging of Cask in this Province.

Upon the Consideration that was had of and Reasoning in Council, upon the Bill entituled An act for Tryal of Felonies committed in such parts of this Province of Pensila. as are not yet limited within any particular County. It was generally observed, that the Constitution of the several Courts of Judicature within this Province, would in all respects be more regularly & effectually Established by Ordinance, as they are done in some of our neighbouring Governmts. than by any particular Commissions; And the Board further considering, that there did not seem to be any immediate want of such a Bill as that now before them, or at least that it could be thought on and prepared to much more advantage, after the Courts are Established by Law or Ordinance as aforesaid. It is recommended to the Governour to move the House of Representatives by a proper Message, that they will please to Concur in sentiments with this Board upon the same subject.

—

POST MERIDIEM, of the same day.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Andw. Hamilton, Att. Genl.,
Saml. Preston,
James Logan, Secry.

The House of Representatives, according to message, waited upon the Governour and presented the following Bills, which he passed into Laws of this Province, viz:

Laws Pass'd. An act for laying a Duty on Wine, Rum, Brandy & Spirits, Melassoes, Cyder, Hops & flax, imported, landed, or brought into this Province.

An act for laying a Duty on Negroes imported into this Province.

An act laying an Excise or Duty on all Wine, Rum & other Spirits, retailed in this Province.

An act to prevent the Exportation of Flour not merchantable.

An act for the Encouragemt. of making good Beer, & for the consumption of Grain in this Province; and

A supplementary Act to the act for the more effectual raising of County Rates & Levies.

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At a Council held at Philada., May 18th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Anthony Palmer,
Saml. Preston, Andrew Hamilton, Att. Genl.,
Thomas Masters, James Logan, Secretary.
Isaac Norris,

A Bill from the House of Representatives, entituled

An act for Establishing Courts of Judicature in this Province, was read, & several Amendmts. being proposed to it by the Board, the said Bill is referred to Richard Hill, Isaac Norris, the Secretary & Attorney Genl., who are appointed a Committee to make their Observations & Amendmts. thereupon, & to Report the same to the Board, as also there Amendments to the Bill, entituled

An act for Encouraging the raising of Hemp in this Province, which is likewise referred to the said Committee-

Then was read a Bill, entituled

An act for regulating the Guaging of Cask in this Provice.

To which Bill several Amendments were proposed,

As to the Bill entituled, An act for settling a Ferry at Solebury, in the County of Bucks.

It is recommended to the House of Representatives to alter some parts of the stile, especially in the Preamble, and to amend it according to the Form used in former Bills of that kind.

At a Council held at Philada., May 19th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Andr. Hamilton. Att. Genl.,
Thomas Masters, James Logan, Secretary.
Isaac Norris,

A Bill entituled, An act to prohibit the selling of Rum and other strong Liquors to the Indians, and to prevent Abuses that may happen thereby, was read & considered, and several amendments proposed thereto.

At a Council held at Philada., May 22d, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Isaac Norris,
Samuel Preston, Thomas Masters,
Andrew Hamilton, Att. Genl., James Logan, Secretary.

Robt. Assheton, Esqr., recalled to Council. } Robert Assheton, Esqr. having been suspended from the Council Board, by the

Governours order in Council, Novr. 7th, 1719. And the Govr. by his Letter of the 18th inst., having for the Reasons therein mentioned, been pleased to desire his Attendance at this Board as formerly, the said Robert Assheton attended and took his place at the Board accordingly, very much to the satisfaction of all the other members present.

Wm. Assheton, Esq. Called to Council. } William Assheton, Esqr., Judge of his Majesties Court of Vice Admiralty for this Province, being called to this Board, by virtue of the Govrs. Letter of the 18th instant, gave his Attendance accordingly, and after his being qualified as the Law requires, & also having taken the Oath of a Counsellor for the Province of Pensilvania, & Counties of New Castle, Kent & Sussex upon Delaware; He took his place at the Board.

The Govrs. Letters to the said Robert & William Assheton, Esqrs., having been severally read at the Board, were ordered to be Entered on the Minutes, & were as follows:

Sir William Keith, Bart., Governonr of the Province of Pensilvania, &c.

To Robert Assheton, Esq., Recorder of the City of Philadelphia.

Sir,

There being no person here that I know of, who is vested with any sufficient or Authentick Powers to take Charge of the Proprietors Interest & Estate in this Province, and I being desirous to have the Vacancies at the Council Board filled up with such as are Related to the Proprietors Family, in order to give me their best Advice on all occasions where that Interest happens to be concerned. I have therefore thought fit to desire you will, upon Receit hereof, give your Attendance at the Council Board in your usual place. And to that End I do hereby Annull & make void all former Orders that have been made for suspending you from the service unto which you are now called.

Given under my hand & the Lesser Seal of the said Province, at Philadelphia, the 18th day of May, Anno Dom., 1722.

W. KEITH.

Sir William Keith, Bart., Governour of the Province of Pensilvania, &c.

To William Assheton, Esqr., Judge of his Majties Court of Vice Admiralty for the said Province.

Sir,

The great Trust you have in Charge from the Crown as Judge of his Majties Court of Vice Admiralty in this Province, your near Relation to the Honble Proprietors Family, and the Observation which I have made of your merit and skill in the Knowledge of the Laws, do sufficiently recommend you to me as a very fit person to Assist

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me in the Council of this Province, I do therefore hereby Nominate & Appoint you, the said William Assheton, Esqr., to be a member of the Council from this date. And you are required to give your Attendance, in order to be Qualified, and take your place at the Board accordingly.

Given under my hand & the Lesser Seal of the sd. Province, at Philadelphia, the 18th day of May, Anno Dom., 1722.

W. KEITH.

The Govr. laid before the Board, a Bill from the House of Representatives for raising the price or value of English Money & Dollars; Whereupon, the following Observations were made.

To that of the English Money being raised, It is expressly against the act of Parliamt. for regulating the value of money, And therefore to Pass it would be doing an act directly against the Kings Charter to the Proprietor.

To that for raising of Dollars, it is evident, that unless the Gold be also raised, We shall have Dollars brought from our neigbouring Provinces, and given to us in exchange for Gold, so that We shall lose that Species of Coin which has an intrinsick value in it, and have nothing left but a parcel of Dollars, the value of which cannot be known because of the great abuses committed in the making of Dollars.

It is therefore ordered that the said Bill be returned to the House with these Observations thereupon, And that it be delivered to the House as the opinion of this Board, that should the said Bill be passed into a Law of this Province, very great Inconveniences would ensue therefrom.

In the Evening of the same day the House of Representatives waited upon the Governr. in Council, Who at their Request gave his assent to the Six following Bills, viz:

Laws passed. } An act for Establishing Courts of Judicature in this Province.

An act to prohibit the selling of Rum & other strong Liquors to the Indians, & to prevent Abuses that may happen thereby.

An act for encouraging the raising of hemp within this Province.

An act for settling a Ferry at Soleberry, in Bucks County, over Delaware to New Jersey.

An act to erect & establish a Ferry on the Lands of Thomas Yardly, of Makefield Township, in Bucks County; and

An act for regulating the Guaging of Cask in this Province.

The Speaker, by order of the House, gave the Governour the thanks of the House for Passing the said Bills, and presented him with an Order on the Provincial Treasurer for £500. After which,

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the Govr. made the following Speech, and delivered the same to the Speaker as follows.

Mr. Speaker & Gentlemen of the Assembly:

Speech to the Assembly. When we Reflect upon the accidents & Difficulties that have occurr'd to us during this Assembly, and the Candid friendly Intercourse & manner by which they have been at last happily composed. We must perceive & be convinced, That not only the Form of Civil Government, but even Justice itself cannot be upheld & duely Administred, without such a Share of humanity & Condescention as is necessary to beget a sincere confidence between Me & the Representatives of the People.

Every just & good man, before he undertakes any office in Government, ought well to consider the End & Design of that Trust wherein he is to be employed, which He will constantly preferr to all other views or appendent Advantages whatsoever. It being therefore the Purport & Natural Tendency of all Civil Governmeut To Promote the Prosperity and to Secure the Peace and Happiness of the Governed; And we being convinced by Right Reason as well as instructed from Experience, That there is not any better means can be proposed for attaining this End, Than by adhering steadily to the Execution of that Body of Admirable Laws, which have been composed & so carefully transmitted to the Brave & free People of England. by the Wisdom of their Ancestors it follows. And so I hope we shall ever Conclude, That the safest & most satisfactory way to promote & secure the Peace & Happiness of the Good People of Pensilvania, will be to administer Impartial Justice in all cases whatsoever according to the known and Established Laws of the Land; And as this will be our best and surest Defence against the outrages of the Wicked, so this excellent plain Rule, will one time or other most certainly bring to Light and overcome the hidden dark Projects & mistaken wisdom of ill designing men, if there be any such amongst us.

Gentlemen: I heartily thank you for the support you have given me this year, and while I am Conscious to myself that I have in all things relating to the Duty of my present Station Faithfully served the King, and at the same time have omitted no opportunity to maintain, Establish and Transmit to Posterity the Just Liberties and Privileges of the Free People whom you represent, I shall never doubt their Chearfull Inclinations and hearty good will, to grant me from time to time an Honble and Reasonable Support.

Then the House of Representatives withdrew, & the Council was adjourned.

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At a Council held at Philadelphia, May 28th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Samuel Preston,
Antho. Palmer,	Robert Assheton,
Thomas Masters,	Andrw. Hamilton, Att. Genl.
William Assheton,	James Logan, Secretary.

Upon Consideration of the State of the Magistracy of this Province, & of the Forms of the several Commissions by which they are empowered to Act in their Respective Stations, It is judged necessary that Commns. of the Peace be forthwith Issued by the Govr. for the Respective Counties of this Province; And the Board is of Opinion, that the Forms heretofore used before the late Repeal of the Laws for establishing Courts of Judicature in this Province, will be a good precedent for the Draught of the said Commissions.

New Comm'ns of the Peace. Accordingly the Govr. was pleased with the advice of the Board, to Nominate Gentlemen to be his Majties Justices of the Peace for the respective Counties of this Province, and ordered the Commissions to be prepared forthwith.

Elisha Gatchel, Esqr., one of his Majesties Justices of the Peace in Chester County, presented to the Board an Accot. of £4, 2, disbursed by him in part of the Charge of two Expresses sent by the Govr. of this Province to the Govr. of Maryland last Winter & Spring, occasioned by some injuries done to the Inhabitants of Nottingham Township, in Chester County, by some people from Cecil County, in Mary Land, under pretence of Levying Taxes there by virtue of Warrants from Maryland, &c., and there being also due to William Reynals £4, 10, for going to Anapolis as one of the said Expresses, for which the Govr. gave him an Order on the Treasurer of Chester County, & is not yet paid.

Hereupon, it was the Opinion of the Board, that the said Expresses having been dispatched upon the motion, and for the immediate Service & Security of the Inhabitants of Chester County, & the Taxes of the sd. County being considerably increased by their Collections from Nottingham Township, it is therefore reasonable that the Charge of the said two Expresses, being only £8 12, should be paid by the sd. County of Chester, & not be Charged as a Debt upon the Province.

Philip Syngs affair. Philip Syng, of Philada., Silversmith, having been yesterday Committed into the Custody of the Sheriff of Philada., by the Govrs. Warrant, grounded upon the Affidavits of Robert Baker and James McClean, taken before Francis Worley, Esqr, one of his Maties Justices of the Peace for the County of Chester, at Conestogoe, the 21st of May inst., Whereby it appears that the said Philip Syng, upon the 20th inst., did say, that the Tract of Land upon the West side of Sasquehannah, lately Surveyed by William

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Keith, Bart., Governour of this Province, did belong to him the said Philip Syng & Company, by a Mary Land Title, and That the said Tract of Land was lately Surveyed by his Order & for his use by a Surveyor from Mary Land, thereby endeavouring as much as in him lyes, not only to defraud the Propr. of this Province of his just Rights, but also to create a misunderstanding between this Govmt. and its good Neighbours of Mary Land, and to disturb the Indians settled upon Sasquehannah River under this Governmt. at this Juncture, when it is requisite to give them all possible Satisfaction. And the Sheriff being ordered to attend with his Prisoners, He was called in, and being examined upon the matters alledged agst. him in the before Recited Affidavits, made Answer to the several Interrogatories put to him, as follows.

Q. Have you surveyed any Lands by virtue of a Mary Land Right upon the West Bank of Sasquehannah, viz: that place known by the name of the Mine?

A. I have.

Q. How much Land did you then Survey?

A. Two Hundred Acres.

Q. By what Surveyor?

A. John Dussey, a Surveyor in Mary Land.

Q. How came you to think that place was in Mary Land?

A. I was informed so.

Q. When the Govr. met with you on the 4th of April, at Pattisons, had you then made this Survey?

A. No.

Q. Did not the Governour then acquaint you that that place was not within the Limits of Mary Land, and that if you presumed to make any Survey then He would Committ you?

A. I do remember that the Govr. said if he had found us there it would have ammounted to a severe Fine, but as to the rest I have forgot.

Sic Subscr. A. Hamilton.

Then the sd. Philip Syng was ordered to withdraw.

Philip Syng } Committed. } Upon Consideration of the premises, Richard Hill, Esqr., one of the Judges of the Supreme Court, being present, it was moved that he should withdraw & Commit the said Philip Syng into the Sheriff's Custody, in order to be prosecuted according to Law, which he did accordingly.

The Clerk produced the Returns of two several Roads, viz: one from the Govrs. Settlement at Horsham to the New York Road, and the other from the Intersection of the New York Road with the Division Line between the Counties of Philada. and Bucks, which being read and approved.

The said Roads by Order of the Board are Confirmed.

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The Returns are as follows, vizt:

April 23d, 1722. Pursuant to an Order of the Govr. and Council, to lay out a Road from the Governours Settlement, in Horsham, to the Meeting House there, and from thence to New York Road at Round Meadow Bridge. We, the underwriters, have laid out the same according to the Surveyors Return hereunto annex't.

ROBERT FLECHER,
PETER CHAMBERLIN,
RICHARD CARVER,
THO. IREDELL,
JOHN BARNES,
ELLIS DAVIS.

Horsham Road Confirmed. April 23d, 1722. Laid out a Road according to the Direction of a Jury appointed to lay out the same: Beginning at the Governours new Building, in Horsham, in the County of Philadelphia; Thence South forty six Degrees Westerly forty three perches; Thence South forty four Deg. Easterly Ninety seven perches; Thence South Seven Deg. Easterly One hundred forty eight perches; Thence South East forty eight perches; Thence South forty Deg. Easterly One hundred seventy seven perches; Thence South four Deg. East One hundred seventy eight perches; Thence South ten deg. West forty six perches; Thence South Sixty Deg. East Thirty two perches; thence South Six Deg. East twelve perches; Thence South thirty two deg. East Ten perches; Thence South thirteen Deg. East eighty four pers. to the Meeting-house; Thence South four Deg. East eighty six perches; Thence South East Thirty two perches; Thence South Sixteen Deg. East Sixteen perches; Thence South Eight Deg. West One hundred perches; Thence South twenty Deg. West twenty four perches; Thence South four deg. East twenty six perches; Thence South fourteen deg. East One hundred perches; Thence South five Degrees East Ninty two perches; Thence South Sixteen East Thirty six perches; Thence South Ten West Forty perches; Thence South Eighteen perches; Thence South thirty four Deg. West fourteen perches; thence South fifteen deg. West Six perches; Thence South fifteen deg. East Fifty two perches; Thence South five deg. West seventy eight perches; Thence South ten Deg. East Ninety five perches; Thence South twenty two deg. East Seventy six perches To New York Road at Round Meadow Run.

NICHO. SCULL.

April 24th, 1722. Then run out a Road, beginning at the Intersection of New York Road with the Division Line, between the Counties of Philadelphia & Bucks; Thence North West along the sd. Line One Thousand Two hundred Seventy four Perches to a Black Oak tree standing by a Path leading from Richd. Sanders Ferry, on Neshamony Creek, to Edward Farmers, Miller.

NICHO. SCULL.

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Pursuant to an order of the Govr. & Council, To Lay out a Road from the Intersection of the New York Road with the Division Line between the Counties of Philadelphia & Bucks, and from thence upward as far as we should judge Convenient. We have accordingly Laid out the said Road according to the above Return of the Surveyor, as Witness our hands, this 24th of April, 1722.

PETER CHAMBERLIN.
RICHARD CARVER,
THO. IREDELL,
JOHN BARNES,
ELLIS DAVIS.

At a Council held at Philada., July 2d, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Robert Assheton,
Samuel Preston,	Thomas Masters,
Colo. John French,	Wm. Assheton,
Andw. Hamilton, Att. Genl.,	James Logan, Secretary.
Isaac Norris,	

The Govr. having sent a Letter by Express from Conestogoe, the 18th of last month, to the Gentlemen of the Council here, the said said Letter with, the Councils Answer to the same were read, and are as follows.

Govrs. Letter to the Gentln. of the Council. } To the Gentlemen of the Council at Philadelphia.

GENTLEMEN:

Finding the Indians, since I came last here, to be very much alarm'd with the noise of an intended Survey from Mary Land, upon the Banks of Sasquehanna, I held a Council with them at Conestogoe, upon Friday & Saturday last, wherein I proposed to them to Cause a large Tract of Land to be surveyed on the other Side of that River for the Proprietor, to begin from the Upper Line of my New Settlement six miles back, & extending downwards upon the River as far as over against the mouth of Conestogoe Creek.

They were all exceedingly pleased with this Proposition, and pressed to have it immediately done, which I fully designed as soon as I got home with the Assistance of your Advice, & accordingly I set out yesterday morning to Return to Philadelphia by way of New Castle, and after I had rode twenty miles to a place called the long Marsh, I received the inclosed Letter by Express, that inform'd me the Mary Landers were to set out for Sanquehanna this day. Upon consulting with Colo. French, who has been with me all along, I

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returned immediately to this place, with a Resolution to go over Sasquehanna & see the above Survey made and run out directly, and I purpose to begin it to morrow morning, and to cause a Return thereof to be made to the Governour & Council. In the mean time, I have directed a Company of the Militia from New Castle to march to Ouchteraroe, where they are to wait for my further orders. And because the Magistracy every where are at a loss what measures to follow in Cases of this nature, for want of being instructed, how far their Powers and Authorities may Reach. I am fully determined with your Advice to take this opportunity of running the old Auchteraroe Line as far West as the Branches of Patowmack, for according to my present view of their proceedings in Mary Land, I cannot think of any other effectual method for preserving the Peace. I will, however, wait for your Sentiments in a matter of such importance, & I desire your Answer with all speed to be sent to me if you think fit by some of your own number.

There being no bread Corn to be had in these parts, I desire you will concur with me in directing the Provincial Treasurer to hire a Waggon, & Send up directly 1000 wt. of Bread, 3 Bushels of Salt, & 40 Gallons of the best Rum, with Sugar proportionable.

I remain, Gentlemen,

Your very humble servant,

W. KEITH.

From Francis Worley's, near Conestogoe, June 18th, 1722.

P. S. As soon as I receive your Answer I purpose to send an Express to the Governor of Mary Land.

THE ANSWER.

May it please the Governr. :

In obedience to a Summons, We met this morning to receive the Governours Commands, upon which George Barclay communicated a Paper from the Governour directed to us upon several heads, which having duely considered as far as they concern this Board, We humbly offer our Sentiments of them as follows.

As the Govr. has since his Accession to this Governmt. given evident proofs of his Abilities in managing the Affairs of the Publick. We shall not here take upon us to form any judgment of his Treaties with the Indians on matters with which We cannot at this distance be duly acquainted, But undoubtedly it will be of Service to keep the Notions of these people right in relation to any Incroachments made or intended by Mary Land, nor can we conceive that it lies before us as a Council of State to Concern ourselves with Surveys of the Proprietors Lands. The Govr. has the best reason to be acquainted with his Powers & Instructions in those affairs to which we must wholly refer Him.

As to running a Line from the mouth of Octararoe Westward to Patowmeck, since it is a matter of such a nature as may Concern the

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peace of the Publick, We think it our Duty more freely to speak it, and most say, That could it be done by Concert between the Governrs. of both Provinces and fixed as a Boundary by Consent, not to be passed till such time as the Division Line is settled by either side, We believe it would be very happy and contribute much to the tranquility of the whole; But if that cannot be done, we are apprehensive that the Attempt at this time might only occasion further Disturbances without proving any manner of Security. By the Govrs. prudence & Care a very good understanding has hitherto been maintained between the two Governts. of Mary Land & this Province, and we have still reason to hope that notwithstanding the Warmth & rashness of some Borders on the side of Mary Land and the Reports taken up there, yet that worthy Gentleman their Governour will not easily be induced to violate those pacific measures he has hitherto taken. We could therefore wish, that before any thing be attempted on the part of this Governt. which may occasion a Breach or give an uneasiness.

The Govr. would be pleased first to Treat, & if there be occasion, to expostulate with Colo. Calvert upon the Tendency & Consequence of any other measures than such as have hitherto been taken. But if that Governmt. should forcibly proceed to make such Surveys as have been talked of, they ought, we conceive, to be diverted from it by all the methods that can safely & justifiably be used among Subjects to the same Sovereign, but no other; And we doubt not but the Governour in his prudence will always have this in view, that no hasty steps be made which may involve us in greater Difficulties, and lead us into Inconveniences which we might when too late wish to have recalled.

These, may it please the Governour, are our Sentiments upon what the Govr. has been pleased to refer to us. We heartily approve of his hastening an Express to the Govr. of Maryland. We are troubled to hear of the Scarcity of Provisions there, but seeing the Govr. has not mentioned to what publick use the Bread, Salt, Rum & Sugar he desires is to be applied, We cannot with Submission understand that this Board can regularly or justifiably concern themselves in ordering it. We are with all due Respect,

The Govrs. assured Friends,

Robt. Assheton,	Richard Hill,
A. Hamilton,	Isaac Norris,
Tho. Masters,	Saml. Preston,
William Assheton,	Anthony Palmer,
James Logan,	

Philada., 20th June, 1722.

The Govr. laid before the Board the Minutes of the Councils, held by him with the Indians at Conestogoe, the 15th & 16th of last month, and a Copy of his Letter to Colo. Calvert, Govr. of Mary Land, sent him by Express from Sasquehannah the 23d of last

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month, also a Warrant of Survey for Surveying a Tract of Land on the other side of Sasquehanna River, for the use of the Proprietor, with the Return thereof; All which were read, and ordered by the Govr. to be entered upon the Minutes of this Board, and are as follows:

At a Council with the Indians held at Conestogoe, June 15th, 1722.

PRESENT:

Sir WILLIAM KEITH, Bart., Govr.

Colo. John French & Francis Worley, Esqrs.

The Chiefs of the Conestogoe, Shawana & Ganaway Indians; Smith, the Ganaway Indian, & James Le Tort, Interpreters.

The Govr. spoke as follows.

Friends & Brothers:

The Belts which I lately received from the five Nations signify, that they are one People with the English, and our very kind neighbours & friends. They invite me to come to them, and I purpose in a short time to go & meet them at Albany, and make the Chain between us as bright as the Sun. When they see me they will remember their great Friend Wm. Penn, and then our hearts will be filled with Love and our Councils with Peace.

Friends & Brothers:

You say you love me because I came from your father, Wm. Penn, to follow his peaceable ways, and to fullfill all his kind promises to the Indians, you call me Wm. Penn, and I am very proud of the name you give me; But if we have a true love for the memory of Wm. Penn, We must now shew it to his Family & to his Children that are grown up to be men in England, and will soon come over to represent him here. Last time I was with you at Conestogoe, you shewed me a parchment which you had received from Wm. Penn, containing many articles of Friendship between him & you and between his Children & your Children; You then told me He desired you to remember it well for three Generations, but I hope you and your Children will never forget it. That Parchment fully declared your Consent to Wm. Penns purchase & Right to the Lands on both sides Sasquehanna; But I find both you & we are like to be disturbed by idle People from Mary Land, and also by others who have presumed to Survey Lands on the Banks of Sasquehanna, without any Powers from Wm. Penn or his children to whom they belong, and without so much as asking your Consent.

I am therefore now come to hold a Council & consult with you how to prevent such unjust practices for the future, And hereby we will shew our Love & Respect for the Great Wm. Penn's children who inherit their fathers Estate in this Country, and have a just right to the hearty Love & friendship of all the Indians promised to them in many Treaties. I have fully considered this thing, and if

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you approve my thoughts, I will immediately cause to take up a large Tract of Land on the other side of Sasquehanna for the Grandson of William Penn, who is now a man as tall as I am; For when the Land is marked with his name upon the Trees, it will keep off the Mary Landers and every other Person whatsoever from coming to settle near You to disturb you, And he bearing the same kind heart to the Indians which his Grandfather did, will be glad to give you any part of his Land for your own use and Convenience; but if other people take it up they will make Settlements upon it, and then it will not be in his power to give it you as you want it.

My Dear Friends & Brothers:

Those who have any wisdom amongst you must see & be convinced that what I now say is intirely for your Good, for this will effectually hinder and prevent any Person from settling Lands on the other side of Sasquehannah according to your own Desire, and consequently You will be secure from being disturbed by ill neighbours, and have all that Land at the same time in your own power to make use of. This will also beget a true hearty Love & friendship between you, your children, and the Great Wm. Penn's Grandson, who is now Lord of all this Country in the room of his Grandfather. It is therefore fit & necessary for you to begin as soon as you can to express your Respect & Love to him; He expects it from you according to your promises in many Treaties, and he will take it very kindly.

Consider then, my Brothers, that I am now giving you an opportunity to speak your thoughts lovingly & freely unto this brave young man, Mr. Penn's Grandson; And I, whom you know to be your true friend will take care to Write down your Words, and to send them to England to this Gentleman, who will return you a kind Answer, and so your hearts will be made glad to see that the Great Wm. Penn still lives in his Children to love and serve the Indians.

At a Council with the Indians held at Conestogoe, June 16th, 1722.

PRESENT:

Sir WILLIAM KEITH, Bart., Governour.

Colo. John French & Francis Worley, Esqrs.

The Chiefs of the Conestogoe, Shawana & Ganaway Indians; Smith and James Le Tort, Interpreters.

The Indians spoke in Answer by Tawenea, as follows:

They have Considered of what the Govr. proposed to them yesterday, & think it a matter of very great importance to them to hinder the Mary Landers from Settling or taking up Lands so near them upon Sasquehanna. They very much approve what the Govr. spoke, and like his Counsel to them very well, but they are not willing to discourse particularly on the Business of Land lest the five Nations may reproach or blame them.

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They declare again their satisfaction with all that the Governour said yesterday to them in Council; And altho' they know that the five Nations have not any Right to these Lands, & that four of the Towns do not pretend to any, yet the fifth Town, viz: the Cayugoes are allways claiming some Right to Lands on Sasquehannah, even where they themselves now live; wherefore, they think it will be a very proper time when the Govr. goes to Albany to settle that matter with the Cayugoes, & then all parties will be satisfied.

They ask the Govr. whereabouts & what quantity of Land does he propose to survey for Mr. Penn. It is answered, from over against the mouth of Conestogoe Creek up to the Govrs. new Settlement, and so far back from the River as no Person can come to annoy or disturb them in their Towns on this side.

They proceed & say, That they are at this time very apprehensive that People will come when the Govr. is gone to Albany & survey this Land; wherefore, they earnestly desire that the Govr will immediately cause the Surveyor to come & lay out the Land for Mr. Penn's Grandson to secure them, & they doubt not but the Govrs. appearance & conduct afterwards at Albany will make all things easy there.

Copy of the Governour of Pensilvania's Letter to the Governour of Mary Land, Dated from Newberry, on Sasquehanna, June 23d, 1722.

Sir: After I had been here some days I set out on Sunday morning last from Conestogoe towards New Castle, by way of Nottingham, not without some hopes of having the happiness to meet you about the head of the Bay, from whence I daily expected to hear from you. But after I had proceeded twenty miles on my Journey, I received an Express on the road from two Magistrates of Pensilvania, informing me that they, with some others, had been taken Prisoners by a Party of men in Arms from Cecil County, & carried before the Justices of that Court, who detained them in Custody two days, and afterwards dismissed them upon a verbal promise to appear there next Court. They also acquainted me of their being certainly informed by the Cecil Magistrates, that a Warrant was issued by Mr. Lloyd, for surveying a Mannor to my Lord Baltimore, upon the Banks of the Sasquehanna above Conestogoe, including this Settlement, from whence I now write, and that an order had been issued by yourself in Council to press Men & Horses for that Service, and that they were to set out from Baltimore on Munday, viz: next Day, under the Command of one Capt. Dursey. Nor Sir, tho' I did not by any means give credit to all this Relation, yet knowing the weakness & former attempts of some of your people of whom I have formerly complained to yourself, who justly bear the Character of Land Pyrates, I was resolved to put it out of their power on this occasion to embroil us by their ridiculous projects, and returning immediately to Conestogoe, where I indeed had left the Indians but two days before, much alarmed wt. general Reports, that the Mary

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Landers were coming to Survey the Lands wch no reasonable man could then believe. I now did, at the carnest Request of the Indians, order a Survey to be forthwith made upon the Banks of Sasquahanna, right against our indian Towns, And you will find the Reasons I had for it more fully set forth in a Copy of the Warrant of the Survey here inclosed. As I found this absolutely necessary to be done for quieting the Indians, as well as to prevent the mischief which might happen upon any of your Peoples presuming to encroach upon what these Heathens call their own Property; so likewise, it appeared to me to be the only method I could take at this Juncture for preventing our own people from taking up or settling Lands on this side, to disturb or hamper the Indians, unto whom this Province is bound by old Treatys to give them a full scope & Liberty in their Settlements from the Christian Inhabitants.

But that all things of this nature may be carried on with that Openness of Heart & perfect good understanding which I am sure we both desire, and that your own prudent mild Conduct may be strengthened with all the Arguments I can furnish you for putting a just Restraint upon that Covetous & most licentious Humour with which you see we are continually plagued, I thought it my Duty without delay to acquaint you by Express with all that has been done here with the Reasons at large.

Perhaps some ignorant, or I should rather say designing people, will endeavour to perswade you that this place is upon the Border of Mary Land; Whereas in Truth, there cannot be a clearer Demonstration in any thing of that nature, than that it is about twelve miles to the Northward of Philadelphia, and I am sure I nee'd not say no more to convince you that at least I have good Reason to insist upon its being within the Limits of this Province, without all manner of Dispute.

My fatigue in the Woods has brought a small Fever upon me which an ounce of Bark has pretty much abated, so that to morrow I shall return home by slow Journeys directly to Philadelphia, where I should rejoice to see you once more, but in all places & at all times I shall be, while living, most faithfully, &c.

W. KEITH.

Copy of the Warrant for Surveying the Mannor of Springetsbury.

Sir William Keith, Bart., Govornour of the Province of Pensilvania, &c.

To Colo. John French, Francis Worley, & James Mitchell, Esqrs.

Whereas, the three Nations of Indians settled on the North side of the River Sasquahannah, in His Maties Peace & under the protection of this Government, viz: The Conestogoes, The Shawanoes & The Cawnoyes, are very much disturbed, and the Peace of this Colony is hourly in danger of being broken by persons, who pursuing their own private gain without any regard to Justice, Have attempted

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& others do still threaten to Survey and take up Lands on the South West Branch of the sd. River, right against the Towns & Settlements of the said Indians, without any Right or pretence of Authority so to do, from the Proprietor of this Province unto whom the Lands unquestionably belong.

And whereas, it is reasonable & agreeable to former Treaties with the Indians, that a sufficient quantity of Land upon the South West side of the River Sasquahannah be reserved in the Proprietors hands, for accommodating the said Indian Nations when it may hereafter be thought proper & convenient for them to remove their Settlements further from the Christian Inhabitants.

And Lastly, Whereas, at a Treaty held between the Indians and me, at Conestogoe, the 15th & 16th days of this instant, They did earnestly desire & request me forthwith to Cause a large Tract of Land, right against their Towns upon Sasquahannah, to be surveyed & located for the Proprietors use only; Because, from his Bounty & Goodness, they would allways be sure to obtain whatsoever was necessary & Convenient for them from time to time.

These are, therefore, by Virtue of the Powers wherewith I am Entrusted for the Preservation of his Majesties Peace in this Province, & with a due & perfect regard to the Proprietors absolute Title & unquestionable Rights To Authorize, Impower & Command you, the said Colo. John French, Francis Worley & James Mitchell, with such of the neighbouring inhabitants as you shall think fit to call to your assistance immediately to cross the River Sasquahanna, and to survey or cause to be surveyed, marked and Located, the quantity of 70,000 acres or thereabouts, in the name & for the use of the Honble Springet Penn, Esqr., which shall bear the name and be called The Mannor of Springetsburg, Beginning your Survey as near as you can upon the South West Bank of the River Sasquehannah, over against the mouth of Conestogoe Creek; from thence by a Line W. S. W. Distance Ten miles more or less; from thence by a Line N. W. b N. Twelve miles more or less; thence by a Line E. N. E. untill you meet with the uppermost Corner tree of my Settlement called Newberry; from thence S. E. b S. along my head Line untill you come at my Southern Corner tree in the Woods; from thence down the Side Line of my Land E. N. E. untill you come at the River Sasquahannah, & from thence by the said Rivers side unto the place where you first began, which Line will be the fourth Side of the said Survey, and when it is done & finished, You are to make a Return thereof upon the back of this Warrant unto the Govr. & Council of Pensilvania; For which this shall be unto you, the sd. Colo. John French, Francis Worley & every of you, a sufficient Warrant Power & Authority. Given under my hand & Seal, at Conestogoe, the 18th day of June, in the Eighth year of our Sovereign Lord George, Annoq. Dom. 1722.

Signed, W. KEITH.

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THE RETURN.

To his Excellency the Governour and the Honble Council of Pensilva.

May it please your Excellency:

In obedience to the within Warrant to us directed, We did, upon the nineteenth & twentieth days of this instant, June, begin & Compleat the Survey of the Mannor of Springets-Bury, upon the River Sasquahannah, in manner following, viz: From a Red Oak upon the said River (by a Runs side called Penns Run) mark'd S. P.; West South West Ten miles to a Chesnut (by a Runs side called French's Run) mark S. P.; from thence North West & by North to a Black Oak mark'd S. P. twelve miles; from thence East North East to Sir William Keiths western Corner Tree in the woods Eight miles; from thence along the South East and North East Lines of the said Sir William Keith Tract called Newberry unto the River Sasquahanna again, and from thence along the River Side to the place of Beginning, The whole containing Seventy five Thousand five Hundred & Twenty acres, according to a Plan thereof hereunto annexed, all which is humbly submitted by

Yr. Excellency's
Most humble & obedient Servants,
JOHN FFRENCH,
FRAN. WORLEY,
JA. MITCHELL.

At Newberry, June 21st, 1722.

Which proceedings of the Governour, so far as they Concern or touch with the Proprietary Affairs of this Province, are judg'd by the Council not to lie before this Board, Colo. French only, to whom the Warrant of Survey was Directed, Declared that as he had been a constant Witness to the Govrs. late Transactions with the Indians at Conestogoe, and by virtue of the Governrs. Warrant (wherein the true Reasons and Motives for such a procedure are amply & truly set forth) to him directed for that purpose, has Survey'd the Mannor of Springets Bury, He was humbly of opinion, that the Govr. had acted with great Prudence & Caution in pursuing the only effectual measure which the present Situation of affairs would allow, for quieting the minds of the Indians and preserving the public peace; And since the Honble Springet Penn was in his opinion the late Proprietors heir at Law, whatsoever turn the affairs of that Family might take in order to re-settle the Property & Dominion of this Province, He did not see or comprehend how the Governs. having caused these Lands to be survey'd after the manner which is here returned, could be interpreted or Deemed to the prejudice of a Family for whose service it was so plainly meant and intended, And as he really thought the Govrs. Care & Toil lately taken in the public Service, highly deserved the particular thanks of this Board & the Government in General, So he could not doubt but those of the late Proprietors Family, who are living, will reasonably & justly conclude, that

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the Govr. on this occasion has taken true Pains to support their Rights, by plainly acting with a hearty Zeal for the Interest of that Honble & Worthy Family.

A Petition signed by divers of the Justices and other Inhabitants of Chester County, in behalf of one Mary Woolvin, now a Prisoner there under Sentence of Death, praying that the Execution of the sd. Sentence may be respited for a time untill the Kings pleasure be known therein, was read & referred to further Consideration.

A Petition from John & Edmund Cartlidge, Prisoners in Philada. Goal, was read, praying that in Regard of their long Confinement, and that now all the Lawfull Evidences of the Fact, for which they stand Committed, may upon notice given them be ready to appear, they may therefore be admitted to a Tryal, upon consideration whereof it was recommended to Richard Hill & Robert Assheton, Esqrs., two of the Judges present to consult with the Chief Justice thereupon, and to fix a day some time this month for the Tryal of the Petitioners.

The Govr. having observed to the Board, that the Funds laid last Session of Assembly, for defraying the necessary Charges of the Governmt., are like to prove very deficient, so that unless some remedy be provided by the present Assembly, this Province will inevitably be brought under the Burthen of a Considerable Debt; And likewise, that the Govr. having promised, by the Advice of the Assembly and this Board, to meet the Chiefs of the Five Nations at Albany, it is absolutely necessary that a suitable Present be provided for the Indians on that occasion, as well as that due care be taken to defray the Expense of the Govrs. Journey thither, He is therefore pleased to declare his Intention of calling the Assembly together immediately after Harvest, which for the above reasons was approved.

At a Council held at Philadelphia, July 24th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, William Assheton,
Robt. Assheton, James Logan, Secretary.
Samuel Preston,

The House of Representatives having met together yesterday in the Afternoon, in obedience to the Govrs. Writts issued for that purpose, upon notice given them that the Govr. was ready to receive them in Council at the Court House, attended accordingly, unto whom the Govr. made the following Speech, and delivered the same to the Speaker.

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Then the Assembly withdrew.

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The Govr. laid before the Board a Letter from James Mitchell, Esqr., one of the Justices of Chester County, directed to him & the Council, which he had received at New Castle last week by Express, to which because of the Haste required and his distance from Philada. he had returned an Answer by the same Express, a Copy of which is now also laid before the Board, also the Copy of a Letter to the Ganawese, all which are ordered to be Entered on the Minutes, and are as follows:

MR. MITCHELL'S LETTER.

From the Township of Donnegall, bounded by the River Sasquahanna, July 12th, 1722.

May it please yr. Excelly. and Honble Council:

These are to let you Know that Mr. James Le Tort and I was desired to be at a Council held at the Conay Town, being present the Chiefs of the Conestogoes, Sawanies & Conays, together with seven Chief men of the Nanticock Indians, who are upon their Journey going to the five Nations. The Reason of their going they say is to renew former friendship and strengthen it in unity for time to come, and for that end they carry alongst with them 32 Belts of Wampum & four long strings of the same, to give as a Present, and delivers a Speech with them severally & they received them, So they thought it their Duty to have their Intentions made Known to Yr. Excelly & Honble Council, & will wait yr. approbation, but in hast, because they are straitned for Provisions. The Nanticock Indians depended to have the best Interpreter they could find in the Conay Town, which they find is Capt. Smith, but he tells them he has promised to go alongst with Yr. Excelly, so that without your leave he will not alter from his promise. I was blidged to send it as an Express which I presume must be at the public charge, which is all from Yr. Excelly & Honble Coucils most humble servant.

JA. MITCHELL.

THE GOVRS. ANSWER.

New Castle, July 16th, 1722.

Mr. Mitchell:

I recd. yr. Letters by the Express who found me here last night, & inclosed I send you a Letter to the Ganawy King, which you are to deliver and let James Le Tort interpret. I approve yr. diligence & conduct in acquainting me so speedily with the Sentiments of the Indians, But if the Nanticocks have at any time occasion to speak to me they ought to send a Messenger of their own, & then I will receive him kindly. You did very well to give 100 wt. of flour to the Ganawys at this time, & if you find that any of the Bread still remains in Jacobus Henriques hands, let 200 wt. be given now to Winjack, or if there be no bread give him 200 wt. more of flour, all which Expences you must charge in an accot., making the Province of Pensilvania Debtor for such articles expended by the Govrs. order,

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also charge 40s. for the Express, then sign the Accot. and send it to me at Philadelpa. by first opportunity, and I will take care to see you well paid.

I remain your hearty friend,

W. KEITH.

THE GOVRS. LETTER TO THE GANAWESE KING.

To my friend Winjack, King of the Ganawese Indians on Sasquahanna.

Brother: I have heard that your friends the Nanticokes are now at yr. Town upon their Journey to the five Nations. I know they are a peaceable People that live quietly amongst the English in Mary Land, and therefore I shall be glad to see them, and will be ready to do them any kindness in my power. I hear they want Capt. Smith for their interpreter, but you know he is engaged to go with me to Albany, and I desire you will send him down to me at Philada. about the last day upon this month, because upon the 8th of next month I shall go from Philada. to New York, and I desire Smith may be there to go along with me, and I should be glad also that Tom would come with him because he can speak to me in English. I have ordered Justice Mitchell to give you some flour and bread to entertain your friends the Nanticokes, and I heartily wish you and all your people well in good health.

New Castle, June 16, 1722.

A Petition signed by one Sarah Hales, Sister of Wm. Hill, a prisoner in Chester Goal under Sentence of death, was presented & read, praying that the Execution of the said Sentence may be respited for a time untill the Kings pleasure is known therein. But the Board being thin, the Consideration thereof is deferred unto another meeting of the Council.

At a Council held at Philadelphia, y^e^ 30th of July, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Saml. Preston,
Antho. Palmer,	Robert Assheton,
Thos. Masters,	Andrew Hamilton,
Wm. Assheton,	James Logan, Secretary.

Satsheechoe, the Messenger, who in the beginning of last May was sent y^e^ second time to the five Nations, being returned from thence, & accompanied to town from Conestogoe wt. Capt. Civility, Tehanoote & Diohanse, the Govr. appointed him a public audience,

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wherein by the Interpretation of Civility from the Mingoe into the Delaware Indian tongue, and of Alice Kirk (who was first sworn to interpret truly,) from that into English. He reported as follows:

That the people of the five Nations wanted Provisions so much, and were so busily employed in looking out for food, that the Chiefs had not time to meet & open the presents sent them by the Governour; That he carried them all together to the House of the King on the River where the Messenger was born (viz. the Cayoogoes) where he left them, and when they have leisure from providing themselves with victualls they will meet together & open them; That these presents are all put together with those sent by the Govr. of Virginia, and the Golden Medal sent by the Govr. untill our Govr. & the Govr. of Virga. come to Albany, to which place they desire the Govr. & James Logan to come.

They were glad the Govr. sent them a Letter for that was like two tongues, and confirmed what the Messenger said to them. The great King of the five Nations is sorry for the Death of the Indian that was killed, for he was his own flesh and blood; he believes the Govr. is also sorry, but now it is done there is no help for it, and he desires that John Cartlidge may not be put to death for it, nor that the Govr. should be angry and spare him for some time & put him to Death afterwards; one life is enough to be lost, there should not two die. The Kings heart is good to the Govr. & all the English, one stuck a Gentleman with a knife at Albany they were sorry for it, but it was made up and no body was put to Death for it. So they desire John Cartlidge may not die for this, They would not have him killed. John Cartlidge has been a long time Bound, and they desire he may be bound no longer. When the Govr. comes to Albany they will take him by the Hand and their hearts shall be joyned as their hands together. The Govr. of New York, of Virginia, of New England, are to be there. The Indians will all meet & all will be made up when the Governour come to Albany. The Govr. of New England has sent them great Presents of Match Coat, thirty bundles of goods all tyed up, and they are not yet opened. When the Govrs. come all together to Albany they will open & divide them. The five Nations will be glad to see the Govr., they have been busy getting victuals as fish out of the Rivers & some Venison from the woods, but now Squashes & Pompions are come they will be able to travel. Their King is an old man & could not come thither; he cannot travel as a young man, but he will come to Albany to see the Govr. there, who he hopes will come in ten days. They desire that Satcheechoe may come thither with the Governour.

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At a Council held at Philada., July 31, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Robt. Assheton,
Samuel Preston,
Andrew Hamilton, Att. Genl.
James Logan, Secretary.

The Governour acquainted the Board, that the House of Representatives had, by a Message to him last night, desired a Copy of the Message delivered by Satcheecho yesterday in Council, which the Govr. had promised should be sent them as soon as the same was reported to the Board; And the said Message being read, and the Govrs. intended Journey to Albany shortly discoursed of, The Govr. proposed (as the Assembly by their sd. Message had also desired,) that the members present do meet a Committee of Assembly this afternoon, in order to confer upon the said journey and the charge which will unavoidably attend it, both for the Expence of the Journey & for Presents to the Indians, without which 'tis conceived the Journey it self will be to very little purpose. Accordingly, the Governr. drew up in writing some few Heads by way of Instructions to the Gentlemen of the Council, who are to meet the said Committee of Assembly, And the Clerk is ordered to carry a Copy of the Message delivered by Satcheecho to the House of Representatives immediately, and to acquaint ther Speaker that the Govr. had appointed some members of Council to meet a Committee of that House at the Court house, at three o'clock this afternoon, according to their Desire.

At a Council held at Philada., August 1st, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Robt. Assheton,
Wm. Assheton,
Samuel Preston,
Andrew Hamilton, Att. Genl.
James Logan, Secretary.

The Council being met at this time to dismiss Civility, and the other two Indians who accompanied Satcheechoe to Town from Conestogoe, it was moved by one of the members whether this might not be a proper occasion to consider of the time of the Tryal of John & Edmund Cartlidge, that the Indians at Conestogoe may be acquainted therewith with Civility at his Return home; Whereupon, the Chief Justice being sent for, the Governour desired that he and the other two Judges present would please to give him & the Board their Opinion, whether the offenders could be prosecuted effectually without a view first taken of the Body of the Indian supposed to be

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killed, by a Coroners Inquest, Upon which the Judges desired leave to withdraw, and carried with them the Attorney Genl. & Willm. Assheton, Esq., for their Assistance; And after a short time returning to the Council, The Attorney Genl. by the direction of the Judges, Reported that they had consulted the Law in Cases of this kind, & find that where a View of the Body may be necessary for the information of the Jury, (which 'tis presumed it may be in this Case) the same ought by no means to be neglected. But where it may be presumed that a view of the Body can be of little use, or that there may be danger of Infection by digging up the Corps, there the Jury are to proceed upon the Testimony of the Evidences present at the time the Fact was committed. It is therefore the opinion of the Judges that a view of the Body ought to be taken, and that the Tryal be deferr'd untill the Govr. Return from Albany, in which opinion the Govr. and the Board also agreed.

Satcheechoe, with Civility, and the other two who accompanied them from Conestogoe, having been ordered to attend the Board at this sitting, It was considered what further satisfaction should be made to the said Indians for their trouble in coming to Philada. to Report Satcheechoes message, And it is ordered that two Stroud Matchcoats be given to Civility & one to each of the other two men, viz: Diohanse & Tehanoote, with Provisions for their journey of which an Accot. is ordered to be brought at the next sitting of y^e^ Board, and being called in the Govr. spoke to Satcheechoe as follows:

My Friend Satcheechoe:

You have shewn yourself a good Traveller and a Diligent Messenger in performing the two Journeys you have undertaken to the five Nations; The first was greatly to my Satisfaction, in so much as our Brethren of the Five Nations shewed so much affection to us and paid so great a Regard to our Message as to hasten you back with divers Testimonials in Confirmation what they said, and notwithstanding I was surprised to see you bring no Credentials with you this last time, Yet I shall beleive you have discharged your part well, and that the occasion of your bringing no such thing is truly owing to the Cause you have assigned, that is, that y^e^ Chiefs could not then meet together, & that they designed to Answer me at Albany where they greatly desired to see me.

I expect, Satcheechoe, that you will continue in Town to proceed with me according to your proposal to Albany, And if Civility returns immediately to Conestogoe with the rest of the Company, I desire you will inform all the Indians who are coming down to the Trial of John & Edmund Cartlidge, that the sd. Trial is deferred until I return from Albany.

There will be delivered to you that Return, some small Tokens, viz: Two Strouds to Civility for his trouble in the Interpretation, and to Diohanse and Tehanoote one to each, with Provisions necessary to their Journey.

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At a Council held at Philadelphia, Augst. 3d, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Robert Assheton,
Samuel Preston, William Assheton,
Andw. Hamilton, James Logan, Secry.
Isaac Norris,

The Governr. acquainted the Board, that the time of his intended Journey for Albany, now approaching, & the House of Representatives having deferr'd coming to the necessary Resolutions for defraying the Expence of the said Journey, & of y^e^ Presents to be made to the Indians on that occasion, untill they are certified, what Gentlemen of the Council are willing to attend the Govr. thither, He now therefore recommends it to the Board to consider & agree among themselves, which of them will please to undertake the said journey for the Service of the Publick, that the Assembly's Resolutions may no Longer be put off through the delay of this Board. And he now further informs the Board, that the members he had hitherto in his view & had named to the Assembly, as well as to themselves, were Richard Hill, James Logan & Colo. French, that he had since received a Message from the House, declaring that they were well satisfied in the Govrs. nomination of Richd. Hill & James Logan, & wish'd it might suit their circumstances to attend the service, but that they had found upon some Communication those two members declined the Journey. The House therefore further recommended for the purpose Isaac Norris & Andrew Hamilton, But if any two of these four would undertake the Service it would be to the satisfaction of the House, To which the Govr. was pleased to add that all those members being acceptable to him, He should wholly leave it among themselves to agree amongst them who should be the Persons that would accompany him.

The Govr. also recommends it to the Board, to draw up in writing such Heads as they may think necessary or usefull for the Service of the Governmt., to be Treated of at the ensuing Meeting with the Indians of the five Nations at Albany, and the members are desired to Confer among themselves, and to draw up the Heads accordingly against three in the afternoon.

Under Consideration of the Case of Wm. Hill, Mary Woolvin & Wm. Battin, Prisoners in Chester Goal under Sentence of Death, it is the advice of all the members present, to which the Govr. is pleased to agree, That the said Wm. Hill & Mary Woolvin be reprieved for the space of twelve months, in case no Orders shall come from the Crown for the Execution before the expiration of the sd. Term; That the said Wm. Battin being Convicted of divers horrid complicated Crimes, be Executed & hung in Irons in the most public place, at such time as the Govr. shall appoint, & that the Warrant for the execution be issued before the Govr. set out for Albany.

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Augst. 3d: POST MERIDIEM.

PRESENT:

The same members as before.

The members of Council having met by themselves & agreed on a rough Draught of the Heads, that appeared fit in their judment to be the subject of the intended Treaty with the Indians of the Five Nations. The Govr. joyned them, and desiring to know whether they had agreed among themselves upon the Persons who were to accompany him. The four members who had been named endeavoured severally to excuse themselves because of the Circumstances of their affairs, But those of the Secretarys Family being considered, it was allowed that no man of humanity could desire him to absent himself from it at this time. And the other three members, viz. Richard Hill, Isaac Norris Norris & Andrew Hamilton, were prevailed on to undertake the Journey.

At a Council held at Philadelphia, Augst. 7th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Thomas Masters,
Robert Assheton,	William Assheton,
Andw. Hamilton,	James Logan, Secretary.
Isaac Norris,	

The Govr. intending to begin his journey for Albany to morrow, and having on the 3d inst. in Council been pleased to desire the Sentiments of this Board, wt. relation to the ensuing Treaty to be held with the Indians of the five Nations there, the members present delivered their thoughts upon that subject in Writing, as follows:

The Govr. having recommended to this Board, to consider & digest the Heads on which it may be proper for him to Treat with the Indians of the five Nations, whom he is to meet at Albany.

They humbly propose it as their opinion, that the following Heads will naturally occur on the past Transactions with those people, and the occasion that more particularly calls the Govr. to Albany at this time, vizt:

That some of their Antient men may yet remember the first Settlement of the Province of Pensilvania by Wm. Penn. He was a good man, had a great affection for all the Indians. He entred into Leagues of ffriendship with them & treated them as his Brethren, and he gave it in Charge to the Govrs. whom he left in his place & to all his people, that they should always do the same.

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That divers of the Chiefs of the five Nations have at several times visited us at Philada. & Conestogoe; We were always glad to see them, and treated them kindly as our Brethren. They made firm Leagues of ffriendship with us, & frequently renewed & strengthened them. We became as One People & hope always to continue the same; And as often as the five Nations renewed their Leagues with our great & good friends, the Govrs. of New York, it still united them the more nearly to us & gave us the greater pleasure, because all the English are the subjects of one Great King.

The last Summer that wise & good man Ghesaont, with some other of their people, came in the name of all the five Nations to visit us. We received them with Joy as our brethren. We opened our hearts to each other. He rejoiced to see us & our Indians live in so much Love together. We brightened the Chain together that it might be clear, strong & lasting as the Sun & Stars, but to our great grief that Good Man died before he returned, Yet we hope the five Nations received the Govrs. words of Love & ffriendship with the Golden Medal & the Presents then Delivered.

We then engaged as They & We had often done before, that we should all be as one People; That the five Nations should not do an injury to any of us more than to themselves, And that We should not do an Injury to any of the five Nations more than to our own people, or if any person did such injury they should be punished for it in the same manner as if done to an Englishman.

Since that time a very unhappy accident has fallen out which has given us great Grief. We heard last Winter that one of the Five Nations had lost his Life by means of some of our People, the next day after the news came to Philada. the Govr. sent two of his Council to Conestogoe to enquire into the matter and bring him y^e^ Truth. They found that a Quarrel arose about Rum, between a Brother of the five Nations who had hunted near Patowmeck and two of our Traders; the Indian man was angry, went hastily and took his Gun to Kill the Englishmen, Whereupon, in defence of themselves they seized him, & in the struggle gave him some blows & left him. We heard that our Indian ffriend & Brother died the next day.

The men who did this were brought to Philada., committed to Prison and put in Irons, and there remain to be tried for their Lives according to our Laws, in the same manner as if they had Killed an Englishman. And we have further passed a Severe Law against selling Rum to the Indians, which will prevent such Mischiefs for the future.

We are greatly grieved for this unhappy accident, but the Chiefs of the five Nations are so wise as to know that such accidents may happen without any ill Design amongst the nearest Brethren, and they may see by this We strictly Keep our Leagues in punishing those who offend against them.

A message having been sent by the Govrs. order from Conestogoe, by Satcheechoe, to the five Nations immediately after the Fact

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was inquired into, to express our sorrow. The Govr. received their kind Answer by the same Messenger, and long after. By that Answer the five Nations shewed themselves our true ffriends in receiving that message like Brethren, not desiring us to wipe away our Tears, more especially by inviting the Govr. to come & see them and shake hands with them, and he should find they were his true Friends.

To this the Govr. by Satcheechoe returned his Answer, that tho' he could not come up Sasquahannah, he would gladly take the opportunity of seeing them at Albany when they came thither to meet our good Friends the Govrs. of New York & Virginia. At the same time the Govr. sent some Tokens to the five Chiefs of the five Nations which he hopes they have received, with the Mourning Gold Ring from the Govrs. own finger.

Accordingly the Govr. is come wt. some of his Council to visit them. He has left his family & his People to take them by the hand, to joyn hearts, and to rejoice in seeing the Faces of each other, that the flame of Love & affection may burn clear in all our Breasts, and all clouds & Darkness may be done away.

But that we might not come so long a journey with Empty hands, the Govr. has brought with him these Goods to bind his Words, which they are desired to receive as a Pledge of our Resolutions to live in perpetual peace & under the strongest Ties of ffriendship with the ffive Nations ; And all that we desire of them is, That remembring them and us & all our People to be under such Bonds and Leagues of ffriendship & Brotherhood, their Young Men & people when they travel may not hurt or disturb any of our Inhabitants in any case, otherwise than as they would hurt themselves or their own people. And that this our visit & the words yt. now pass may be recorded in everlasting Remembrance, to be sent down to their & our Children & Childrens Children, and last as long as the Mountains & Rivers and the Sun & Moon shall endure.

These Heads being duly considered, were approved of, and recommended for a Scheme to be proceeded upon in the intended Treaty, but subject to be varied according as the circumstances of affairs, Time & Peace, in the Judgment of the Govr. and the members of Council who accompany him, may render it necessary.

The Govr. acquainted the Board, that being out of Town on Saturday last when the Assembly broke up, He had received this morning from Benj. Vining, a member of that House, an order under the Speakers hand on the Provincial Treasurer for £150, allowed for the Expense of the Govrs. Journey to Albany, and the Gentlemen of the Council that are to accompany him thither.

Isaac Norris also acquainted the Board, that the Assembly had made choice of him for buying the Presents to be given to the Indians at Albany, and had given him an order on the Treasury for £100 for that use.

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The Govr. recommended the Care of the Governmt. to the Gentlemen of this Board that are to continue in the Colony during his Absence, and desired that in case any extraordinary emergency should happen while he was abroad (which he hoped there would not) they would give him Notice of it by an Express. Then Council wished the good Journey & safe Return, and then broke up.

At a Council held at Philadelphia, Augst. 8th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Govr.

Anthony Palmer,	Robert Assheton,
Thomas Masters,	William Assheton.

Isaac Norris having acquainted the Board at the last meeting of Council, that he had received a Bill from some members of Assembly, Drawn by order of y^e^ House & Sign'd by the Speaker, for One Hundred Pounds Curt. Money, to be forthwith paid to him the said Isaac Norris, by the Provincial Treasurer, in order to be laid out in Presents for the Indians at Albany.

It is the opinion of this Board, that such presents will be on this occasion more commodiously purchased at New York, and it is ordered, that the said Isaac Norris do apply the said Sum of £100 for the the purchasing of such Presants at York for the Indians at Albany, as the Govr. and members of Council who attend him in his Journey shall think fit to agree upon & Direct.

At a Council held at Philadelphia, Septr. 21st, 1722.

PRESENT:

Richard Hill,	Isaac Norris,
Samuel Preston,	Anthony Palmer,
Robert Assheton,	Thomas Masters,
Willm. Assheton,	James Logan, Secretary.

Richard Hill & Isaac Norris, two of the members of this Board, who by appointment of the Govr., Council & Assembly, accompanied the Governr. to Albany, having returned home last night, they now laid before the Board Copies of the Govrs. Speech, to the Indians of the five Nations at Albany, the 7th instant, wt. the said Indians Answer thereto on the 10th, both which were Read, and ordered to be entered on the Minutes of this Board, being as follows.

The Govrs. Speech was in the following words, interpreted by James Le Tort, and an Indian for Sasquehannah, called Capt. Smith.

Brethren:

I have travelled a great way to see you and to hold some Discourse with you. The people of Pennsilvania have always been

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friends to the five Nations; They have punctually kept all their former Treaties with you; They expect that you do not forget them, & therefore I am come to brighten the Chain between us. You sent me word that you desired to see me, & I have obtained leave of my Brother, the Govr. of New York, to renew at this place our former Treaties with you, & I am glad he is present with us to hear & observe all that is spoken.

Some of your Antient Men can yet remember the first Settlement of the Province of Pensilvania by Wm. Penn. He was a good man, & had a great Affection for all the Indians. He entered into Leagues of friendship with them and treated them as his Brethren, and he gave it in Charge to his Govrs., whom he left in his place, and to all his people, that they should continue to do the same.

Divers Great men from the five Nations have on several occasions visited us at Philada. & Conestogoe. We were always glad to see them and treated them kindly like Brethren. They made firm Leagues of friendship with us & frequently renewed & strengthen'd them. We became as one People & hope always to continue so, and as often as the five Nations renewed their Leagues with our great & good friends the Govrs. of New York, it still united them the more nearly to us as being subjects of one & the same Great King.

Last Summer the Wise & Good Man Ghesaont, with some others of yr. people, came in the name of all the five Nations to visit us at Conestogoe. We received them with joy & opened our hearts to each other. He rejoyced to see us & our Indians live in so much love together, we then brightened the Chain that it might be dear, strong & lasting as the Sun & Stars. But when we heard that Ghesaont died in Virginia we were very sorry, Yet I hope the five Nations received my Words of Love & friendship to their Sachims, and to all their People, with the Golden Medal & the Presents then delivered.

It was then stipulated & agreed between us, That we should all be as one People; That the five Nations should not do an injury to any of us more than to themselves, & that we should not do an injury to any of the five Nations more than to our own people, or if any person did such injury, they should be punished for it in the same manner as if done to an Englishman.

Since that time a very unhappy accident has fallen out, which gave us great grief last Winter; We heard, that one of the five Nations had lost his life by means of some of our People.

The very next day after the News came to me at Philada. I sent two of my Council to Conestsgoe, to enquire into the matter and bring me the Truth. They found that the Quarrel arose about Rum, between a Brother of the five Nations, who hunted near Patowmeck, and two of our Traders. The Indian was angry, & went hastily & took his Gun to Kill the Englishman; they in defence of themselves Seized the Indian, & in struggling gave him some Blows and left him. We heard that our Indian friend & Brother died y^e^ next day.

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The men who did this were brought to Philada. and put in Prison, and they will be tryed according to our Laws, in the same manner as if they had Killed an Englishman; And to prevent such mischief for the future, we have made a severe Law against selling of Rum to the Indians. Tho' this misfortune gave us great Grief, yet we are perswaded that the Chief Sachims of the ffive Nations are so wise as to know that such accidents may happen, without any ill design amongst the nearest Brethren. And by this they will see how strictly we keep our Leagues & Treaties, in punishing those who shall dare to offend & injure them or any of their People.

I made haste to send a message to the ffive Nations by Satcheechoe to express our sorrow, & I received their kind answer by the Return of the same messenger. You received our message like true Brethren, desiring us to wipe away our tears and invited me to come & see you, immediately I sent Satcheechoe back with this Answer, That I would meet you at Albany with my good ffriends the Govrs. of New York & Virginia, and I sent some tokens to your Sachims which I hope they received, with a Mourning Gold Ring off my own finger to Sakaunkauta.

Satcheechoe returned speedily and said you would be glad to see me at Albany. He also told me you desired John Cartlidge might be released out of Prison, & y^e^ injury done to your Kinsman might be forgot; But Satcheechoe brought no Belt nor any other Token to confirm his Words, & therefore I have brought him along with me, that you may know & tell me if he spoke Truth.

Brethren: You see I am come here with four of my Council to visit you. I have left my ffamily & People, and have travelled a great way to take you by the hand to joyn Hearts, and to rejoice in seeing each others faces, for all clouds & Darkness must be done away, that the flame of Love & affection may burn clear in our Breasts.

I have brought these Goods with me to bind my Words, viz: five pieces of Strouds for Cloathing, five Casks of Powder and five hundred wt. of Lead, to encourage your hunting, that you may grow Rich & Strong; And I desire you may receive them as a Pledge of our firm Resolutions to live in perpetual peace & under the strongest ties of ffriendship with the five Nations; that you will ever remember us as your Brethren, and not suffer your young men, when they travel, to hurt any of our inhabitants no more than they would their own, or to kill their Cattle & Stock; And that this visit & the Covenant Chain which is hereby brightened may be recorded in everlasting remembrance to be sent down to your & our children, and to our childrens children, to last as Long as the Mountains & Rivers, and the Sun & Moon shall endure.

I also give you those two pieces of Blankets to wipe away and dry up the Blood that has been spilt, and to cover it so as it may never be seen or heard of any more.

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I live at a great distance from the Brethren, and perhaps may never see so many of your grave ancient men together again; I will therefore, like a true Brother, leave with you my best advice for the happiness and welfare of all yr. people, & as oft as you look upon these two Belts, remember (Two Belts laid down) that this one signifies the strength which a wise Nation acquires & secures to its people by peaceable Councils, and encreasing the number of its ffriends; and this other Belt represents to you a Bold, ffirm true heart that abhors falsehood, but is ever faithfull to its ffriends & punctually observes whatsoever it promises.

The Answer made by the Indians of the ffive Nations, viz: the Maquase, Oneydes, Onondages, Cayouges & Sinnekaes, to the Propositions made by the Honble William Keith, Bart., Govr. of Pensilvania, &c., in Albany, the 10th day of Septr., Anno, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Govr. of Pensilvania, &c.

Richard Hill,	Col. John French,	Esq'r.s, members of y[e] Council of Pensilvania.
Isaac Norris,	Andw. Hamilton,	
Col. Peter Schuyler,	Evert Banker,	Esq'rs., Commissioners of the Indian Affairs.
Peter Van Brugh,	Philip Livingston,	
Joha. Cuyler,	Joh. Bleecher,	
Hend Hanse,	John Collins,	

Interpreted by Lawrence Claese into Dutch, & rendered into English by Robert Livington, Tanachaha being Speaker.

Brother Onas:

(Which signifies a Pen in the Language of the ffive Nations, by which name they call the Govrs. of Pensilvania since it was first settled by William Penn.)

You told us in your proposition, some days ago, that you was come a great way to see us of the ffive Nations. We thank you for your good will to us, & are very glad to see you here in good health, and we hope a good understanding and Agreement will be made & concluded between us.

You told us also, that you are come to renew the Covenant Chain that has been made between us so long ago, even at the first Settling the Province of Pensilvania, and to brighten the chain, and to remove and do away any spot of Rust that may be grown upon it since our last Meeting & Conference at Conestogoe.

Brother Onas: You have told us that at that time you brightned the Covenant Chain between us, that it might be clear and lasting as the Sun and Stars in Heaven, for which we thank you, and we being now all present, do, in the most solemn and public manner, renew the Covenant and brighten the Chain made between us, that the Lustre thereof may never be obscured by any Clouds or Darkness, but may shine as clear and last as long as the Sun in the Firmament.

Brother Onas: You have likeways told us how that William Penn, who was a good man, did at his first Settlement of the Province of Pensilvania make Leagues of ffriendship with the Indians, & treated them like Brethren, and that liko the same Good man he left it in Charge to all his Governours who should succeed him, and to all the people of Pensilvania, that they should always keep the Covenant & Treaties he had made with the ffive Nations, and treat them with Love and Kindness. We acknowledge that his Governours and People have always Kept the same honestly and truly to this day. So we on our parts always have Kept & forever shall Keep firm, Peace & ffriendship, with a good heart to all the people of Pensilvania. We thankfully receive & approve of all the Articles in your Proposition to us, and acknowledge them to be good and full of Love. We receive & approve of the same with our whole hearts, because we are not only made one people by the Covenant Chain, but we also are people united in one head, one Body & one heart, by the strongest ties of Love & friendship.

Brother Onas: You desire there may be a perpetual Peace & ffriendship between you and the five Nations, and between your children and our children, and that the same may be Kept as long as the Mountains & Rivers endure; all which we like well, and on our part desire, that the Covenant and Union made with a clean & true heart, between you and us may last as long as the Sun and Moon shall continue to give Light, and we will deliver this in Charge to our Children, that it may be Kept in Remembrance with their Children and Childrens children to the latest ages; And we desire that the Peace and Tranquility that is now established between us may be as clear as the Sun shining in its Lustre, without any Cloud or Darkness, and that the same may continue forever.

Brother Onas: We have well considered all you have spoken, and like it well, because it is only the renewing of former Leagues and Treaties made between the Government of Pensilvania & us of the five Nations, which we allways beleived we were oblidged to keep; And as to the accident of one of our friends being Killed by some of your People, which has happen'd by misfortune and against your will, We say, that we are all in Peace, we think it hard the persons who killed our friend & Brother should suffer, and we do in the name of all the five Nations forgive the offence, & desire You will likewise forgive it, and that the men who did it may be released from Prison and set at Liberty, to go wither they please, and we shall Esteem that as a mark of Regard and ffriendship for the five Nations, and as a farther confirmation of this Treaty.

Brother Onas: We say farther, we are glad to hear the former Treaties we have made with William Penn repeated to us again, and renewed by you; and we esteem and love you as if you were William Penn himself. We are glad you have wiped & covered the Blood of our dead friend & Brother, and we desire the same may be forgot, so as it may never be more mentioned or remembred.

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It is needless for us to answer every particular of your proposition, because we acknowledge the whole to be good & acceptable to us, especially your good advice which we will always remember, and in testimony thereof, and as a full confirmation of our Agreemt., Consent & approbation of all that you have proposed, & we have here said & promised. We lay down a few Beaver, Bear & dress'd Deer Skins, & so concluded.

Then the Govr. expressed his Satisfaction with their Answer, and gave them thanks for their good will & love to him and the People of Pensilvania.

The Indians then desired to know of the Governour, if the men who were in prison for Killing their friend and Brother were Discharged? to which the Govr. answered, that they were let out upon Bail. They then desired that the men might be discharg'd. to which the Govr. answered, that as soon as he returned to Philadelphia he would give such orders in that affair as should fully answer the Request of the five Nations, in order to confirm the ffriendship that is so happily renewed & established by this Treaty.

A true Copy, examined by

PHILIP LIVINGSTON, Secr. for Indian Affairs.

The Chiefs of the Indians express'd a great affection for the Govr. & the people of Pensilvania, and it appeared that Satel cechoe had faithfully discharged his Trust in both the Messages sent by him.

When our Interpreters were coming away the Chiefs informed them, that they had something further to say to the Govr. upon which they were detained.

The next day, the 14th of Septr., the Gov. received at his Chamber the Ten Chiefs of the five Nations, being two from each, together with two others said to be of the Tuscororoes, and by the interpretation of Lawrence Claese, public Interpreter for the Indians, in the presence of Phi ip Livingston. Secretary for indian affairs at Albany, both whom our Govr. desired to be present, they spoke as follows:

Brother Onas:

We here now freely surrender to you all those Lands about Conestogoe which the five Nations have claimed, and it is our desire that the same may be settled with Christians, in token whereof we give this String of Wampum.

Brother Onas: According to the best understanding we have renewed at this time with you all former treaties between Your people and us, we therefore expect, that if any of our people come to Trade at Philadelphia you will order that they be received like Brethren, and have the Goods as cheap as possible; So we wish you all prosperity and a good journey home.

Now we are going to depart from one another. We your brethren, the Sachims of the five Nations, desire that you would give us some

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Provisions to help us on our journey, on which they gave two small bundles of Beaver and dress'd Skins.

SIR WILLIAM KEITH'S ANSWER.

Brethren: You know very well that the Lands about Conestogoe, upon the River Sasquahannah, belong to your old friend & kind Brother William Penn; nevertheless, I do here, in his name, kindly accept of the offer & surrender which you have now made to me, because it will put an end to all other Claims & Disputes if any should be made hereafter.

Brethren: I understand as you do, that we here at this time renewed all former Treaties between the five Nations & Pensilvania, and considering how well you are provided with Goods at Albany, I think Philadelphia will be far out of your way to Trade, but as often as any of your People come to us in Love and friendship, they shall be treated like Brethren.

I am not able to provide for you here as if I were at Home, but I will order some Bread to be got for your particular use, and I heartily wish you well home to your own ffamilies.

And the said Gentlemen informing the Board, that it would be agreeable to the Governours inclimations that the said Papers were published, which he had desired them to signify to the Board, to whom he leaves it to consider of the use & service thereof. It is therefore ordered, that for the Satisfaction of the Inhabitants of this Province the said Speech & Answer be forthwith published in Print, with a proper Introduction thereto, to be prepared by —— ——, & communicated to this Board for their Approbation before the same is delivered to the Printer.

The Secretary communicated to Board a Letter he had received from the Govr. of this Province, dated at Albany the — instant, informing him that Colo. Spotswood, Govr. of Virginia, then with him at Albany, had resolved in his Return homeward to Hold a Treaty with our Indians at Conestogoe, wither our Govr. designed to accompany him, and therefore desires the Secretary to give Notice by James Le Tort, and Smith the Ganawese Indians, to the Chiefs of the four Nations of Indians settled upon Sasquahannah River, viz: the Mingoes or Conestogoe Indians, the Shanawese, the Ganawese & the Delawares, to be ready to meet Colo. Spotswood & him at Conestogoe in the beginning of October; But James Le Tort, and Smith the Indian, not being returned from Albany as the Govr. expected, the said direction of the Govrs. is at present impracticable. And further, this Board is of opinion, that they cannot concur in in directing our Indians to meet the Govr. of Virginia at Conestogoe, untill this Government is acquainted with the End & Design of the said meeting.

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At a Council, 8br. 3d, &c., & at a Council held at Philadelphia, Octr. 3d, 1722.

PRESENT :

The Honble Sir WILLIAM KEITH, Bart., Governour.

Isaac Norris,	Samuel Preston,
Antho. Palmer,	Robert Assheton,
Willm. Assheton,	James Logan, Secretary.

This being the first meeting of the Council since the Govrs. Return from Albany, the Govr. expressed his satisfaction in seeing the members of his Council together at this time. He acquainted them, that finding upon his arrival at New York that Colo. Spotswood, Govr. of Virginia, had by a Letter from Sandy Hook, thought it proper to desire leave of Colo. Burnet, Govr. of New York, to Treat with the Indians of the ffive Nations at Albany, and that Colo. Burnet expected an application of the same kind on the part of this Govermt. He had therefore thought it expedient to follow the example of Colo. Spotswood, and had accordingly applyed to the Govr. of New York for his leave to Treat with the Indians of the ffive Nations, at the same time with the Govr. of Virginia, which he did by the following letter now read at the Board.

NEW YORK, Augst. 13th, 1722.

SIR,

The Province of Pensilvania being happily situated between his Majestys Govermts. of Virga. & New York, it has been my greatest care to regulate the managemt. of the Indian Affairs in that Colony, so as to render the peaceable Disposition of the Inhabitants acceptable to the Indians, and consistent with the concerted measures and wise conduct of the neighbouring Provinces.

So soon therefore as I understood that Colo. Spotswood, the Govr. of Virginia, intended, with your Approbation and Concurrence, to hold a Treaty with your Indians of the ffive Nations at Albany, I called the Assembly of Pensilvania together, and it is by their Advice that I am now come, accompanied with some few members of my Council, to entreat that with Yr. Excellencys permission, and in your presence, I may be allowed to renew upon this occasion, at Albany, the Leagues of ffriendship that have formerly been made between the Province of Pensilva. and the ffive Nations. The unhappy accident of an Indian being lately Kill'd in the Woods by some of our Traders, and the renewing our former Instances with this Governmt., to prevent, if possible, the ffive Nations from going to War, and making a Path through our Settlements upon the River Sasquahanna, are the principal points on which I purpose at this time to speak to your Indians, and as I have not any thing to offer but what I have reason to believe will perfectly agree with Yr. Excellency's sentiments & those of yr. Council, I am encouraged to hope you will favourably receive this application from,

Sir, Your most Obedt. humble Servt.

W. KEITH.

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In answer to which he received the Governour & Council of New Yorks Approbation of his intended Treaty with the Indians, declared in the following Minute of the Council of that Province, now laid before the Board, viz:

At a Council held at Fort George, in New York, Augst. 13th, 1722.

PRESENT:

His Excellency WILLIAM BURNET, Esqr.

Captain Walter, Mr. Harrison,
Colo. Beekman, Doctr. Colden.
Mr. Barberie,

His Excellency communicated to this Board a Letter from the Governour of Virga., dated from on Board his Majesties Ship Enterprize, at Sandy Hook, the 9th instant; as also a Letter from the Governour of Pensilvania, Dated at New York this day, signifying their coming hither tosettle a right understanding, & to establish a lasting Peace between his Magties Subjects in their Governments & the five Nations of Indians belonging to this Province; Upon which, the Council desired his Excellency to assure the Governours of Virgt. & Pensila. that this Board shall think it a great Honr. & Happiness to Confer with them on the best measures to be taken with the five Nations at this time to secure a General Peace between them & the Indians & these neighbouring Colonies, That they are highly satisfied with the just & honble Intentions expressed in the Letters which his Excelly has communicated to them, & shall be very ready to concur in every thing that shall be for the Safety & Prosperity of the Common British Interest in America.

To which His Excelly agreed intirely, & promised to acquaint the Govrs. of Virginia & Pensilvania with the unanimous Sentiments of this Board.

By his Excellency & Council, in Council,

IS. BOBIN, D. Cl. Con.

That pursuant to the Desire of the Govr. & Council of N. York, the Governour of Virginia & himself, with Colo. French & Mr. Hamilton, (Mr. Hill & Mr. Norris not being then arrived) did meet at an appointed Conference with Colo. Burnet & his Council, where our Govr. delivered himself to this purpose.

That the Points on which he now came to Treat with the five Nations were already communicated to His Excelly & the Council, by his Letter of yesterday.

That the first, viz: the Death of an Indian was an accident that might have happened any where, & therefore it was only necessary for him to satisfy the Indians that the Govmt. of Pensilvania was very sorry for it, & had caused the offenders to be put into the Hands of Justice. As to the other Point, viz: That some measures be taken

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to prevent the five Nations from taking their Warlike Courses through Pensilvania to the Southward, it was the more necessary because the Conestogoe Indians were formerly a part of the five Nations called Mingoes, and speak the same Language to this Day; That they actually pay Tribute now to the five Nations, and either from natural affection or Fear are ever under their Influence & Power; But that he hoped the Virginia act which had been read would have a good Effect to obtain this End, by restraining all the northern Indians from proceeding any more that way to the Southward. He observed with how much Prudence & Caution Mr. Penn has formerly purchased all the Lands on Sasquahannah from the Five Nations, by means of Colonel Dungan, then Govr. of New York. How many Treaties has been held with these Indians both at Philadelpa. & Conestogoe, That the ffriendship between them had been inviolably preserved to this day, and he did not know that the Five Nations could be charged with any material Breach thereof. As to the Indian Trade, Sir William said, He believed no person from Pensilvania had ever yet attempted to Force any Trade with the five Nations, but on the contrary, it appeared that Province was altogether indifferent about it, since it was so earnestly desired that these Indians might forbear to Pass through their Settlements on Sasquehannah. Nevertheless, it being a subject that he did not understand, nor ever be intended to be particularly concerned in, He desired to be excus'd from enlarging further upon it at this time, and the rather because it was no part of his Business now with the Indians of the ffive Nations.

The Secretary informed the Governour, that Richard Hill & Isaac Norris, (two of the members of Council who had accompanied the Governour to Albany) had, in obedience to the Govrs. orders to them Communicated to the Council next day after their arrival here, the Governours Negotiation with the Indians at Albany during the sd. Gentlemens stay there. Whereupon, the Governour said that he needed only take Notice to the Board of what farther Conference he had had with the Indians after the said Gentlemen's departure from Albany homewards, viz: on the 14th of September, the same is N. B. inserted in the preceding minutes of Septr. 21st, as it was taken from the printed Copy.

The Govr. communicated to the Board a Letter he had this day received from Colonel Spotswood, Governor of Virginia, now here, being in the following words:

PHILADELPHIA, Oct. 2, 1722.

SIR: About two years ago I had the Honr. of a Letter from you, with two Belts of Wampum from the Indians of your Province, whereby they proposed a Peace with the Indians of Virginia, and that thereafter they should on both sides forbear all Courses to molest one another. Upon receit thereof, the Chiefs of all our Indian Nations were assembled before me in Council, where they solemnly engaged never after to Pass to the northward of Patowmeck River,

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or westward of the high Ridge of Mountains which extend all along the Frontiers of Virginia, without a Passport from the Governour of that Colony, provided the Indians belonging to the other British Colonies to the Northward of Virginia would reciprocally promise never to Pass to the Southward or Eastward of the said Boundaries, without a Passport from the Governour of that Province, to which they should respectively belong, and our Indians, as a Testimony of such their Engagement, returned two Belts to your Indians, which I conveyed to your hands last March was a twelvemonth.

At the same time I sent another Belt to the five Nations with the very same Proposition, and now I have been at Albany to treat there with those Indians upon that subject, and having got the said ffive Nations together with the Tuscarouroes to give their Assent in the most ample and solemn manner to that Proposition of the Boundaries, I come here at this time to get the concurrence of your Indians to the same Proposition, not doubting of all ready assistance with this Govermt. to bring such a Negotiation to an happy issue.

I have also a Demand to make of some Negro Slaves belonging to Virginia, which I understand are harboured among the Shuannoes and said to be set free and protected by those Indians. This is a proceeding that must so dangerously affect the Properties of his Majesties subjects in these parts, that I greatly depend on the Earnest Application of this Governmt. to discourage your Indians from such a Practice.

Having nothing else to propose to your Indians but upon these two heads, I hope no difficulty can arise here to my treating with them as Governour of Virginia, especially while every step that I make will shew that I am with great Respect,

Sir,

Your most obedient humble Servant,

A. SPOTSWOOD.

The Governour declared his approbation of Colo. Spotswood's design to treat with our Indians upon the heads mentd. in his Letter, and therein desired the advice & concurrence of the Board, but the Board but thin, and some of the members differing in opinion from the Governour upon the subject matter of the said Letter, the further consideration thereof was deferred till to morrow at three in the afternoon.

The same day, after the Council broke up, the Govr. finding most of the members to be of a different opinion from him upon the subject of Colo. Spotswood's intended Treaty with our Indians, He therefore desired them to give him their Sentiments thereupon in Writing, which accordingly they did in the following Representation delivered to the Governour on the 6th inst., by Mr. Secretary Logan.

* * * *

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At a Council held at Philadelphia, Octr. 10th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, William Assheton,
Robert Assheton, James Logan, Secry.
Thomas Masters,

The Governour acquainted the Board that he had received the Representation of the Council last week, in Answer to Colo. Spotswood's Letter to him, read in Council on the 3d inst., a Copy of which Representation he had delivered to Colo. Spotswood, together with a Letter expressing his own Sentiments upon that subject, which Letter was now read at the Board, and is as follows:

SIR:

Immediately after I received the Honr. of yours of the 2d inst., I called the Council of this Province together, & communicated the same to them with my Sentiments, viz: That I very much approved of your Proposal to Treat with our Indians at this time upon the Heads mentioned in your Letter; For as I had carefully observed the General Purport & Design of your Treaty & whole conduct at Albany with the Indians of the Five Nations, seemed principally to Secure all these Colonies, as well as Virginia, from being any longer imposed upon & molested by their accustomed way of breaking through their former Treaties & solemn Promises to the English Governments, without any Excuse than that they were not able to restrain their young men, I was well satisfied to see their Hands so effectually tyed up by their own voluntary act, and considering the near Relation, Intimacy & Correspondence between the ffive Nations & our Indians upon Sasquahannah, I could not but think, that if our Indians who are so much nearer to Virginia, were brought voluntarily & distinctly by themselves to accept of & confirm the same Proposition as to the Boundaries which the ffive Nations have actually undertaken for them, that they shall observe it would in all probability prevent future Disturbance on the Frontiers of these Colonies, and tend to a General Peace amongst the Indians on this side the Lakes. But finding that some members of the Council were not altogether of my opinion, and seemed to have a different view of this matter, I was willing to delay returning an Answer to your most oblidging Letter, until I had their Sentiments upon a subject that seemed to be of so much Importance to the Peace of this Province.

I beg you will put a favourable construction on my hearty endeavours to Answer your just Expectations, and to shew as far as I am able a perfect Regard to the Honr. & Interest of Virginia, and after you have considered the inclos'd Representacon from the Council to me, please to be assured, that according as it proves agreeable to your Excellent Judgement & great Experience in Affairs of this Nature, I will either wait upon you to Conestogoe, where at your Request

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I have already appointed the Cheifs of our Indians to meet you, or if you chuse rather to leave any Directions with me, I shall diligently use my best endeavours to bring the Indians into those measures which you propose, & which I rejoyce to observe have been so judiciously concerted and agreed upon between the Governmts. of Virginia & New York, for the General Advantage of His Majesties Dominions on this part of the Continent. I am with great Esteem & Respect,

Sir,

Your most humble & most obedient Servant,

W. KEITH.

Philada., Oct. 6, 1722.

In Answer to which Letters & Representation our Governour had received from Colo. Spotswood, the day before his Departure from this place, the following Letter with the Belts, &c., therein mentd., the sd. Letter being read, was in these Words:

PHILADELPHIA, Octr., 8th, 1722.

SIR: Your Councils Representation against my intended Negotiations with the Indians of this Governmt., could not but greatly surprive me, while I came hither without the least apprehension of such an obstruction. For after so much pain had been taken, even by your coming last year in person to Virginia to discuss that Proposition of the Boundaries, and to have explained the meaning of the Governmt. of Virginia with Respect to Potowmack River & the high ridge of Mountains; And after the Governmt. of Pensilvania had appeared to be fully satisfied with the proposed Boundaries, when you Sir, with your Council present, in a solemn meeting at Conestogoe on the 6th of July. 1721, tell your Indians that you had actually made a Treaty for them, whereby they were bound not to Pass certain Limits which you had agreed on, and to which I understand your Indians very readily assented. I say, after this matter had been carried such a Length, could I reasonably expect that any of your Council should be allowed to contend for your Indians departing from their engagements, and not ratifying their Promises.

Another extraordinary proceeding of your Council in this Affair, I cannot but complain of. They are pleased to let me but just now understand that they disapprove of the Virginia Law for enforcing and rendering more effectual the Treaty which I came hither to make with your Indians, and that their intention is to oppose their Indians subjecting themselves to the Penalties of that Law. Had any of the four members of your Council which accompanied you to Albany, giving me the least Intimation (during a whole month that we dayly met and frequently discoursed upon the subject.) of their having then such Sentiments as are now contained in their Representation, I would have had these Points Cleared & Settled, before I would have put myself to the Expence of Purchasing Horses and preparing for a

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Journey out into your Indian Country, or I should at least have returned home as soon as Colo. Harrison did, without attending here so many days for the Deliberations of your Council, which I find, by what I had the Honr. to receive from your Hands yesterday, to be so opposite to my principal Errand hither, that I apprehend my Negotiations with your Indians (so long as those Gentlemen continue in the Sentiments they have expressed under their hands) must prove to little purpose, or at least must lay the Foundation of Contentions between you and your Council, which I should the more Regret, if I could be in any ways Charged with being instrumental therein.

Wherefore, give me leave to depart with only acknowledging the just sense I have of your sincere endeavours towards rendering my Negotiations effectual; And as I go away with the satisfaction of your Judgment intirely concurring with mine in this affair, I shall remain Easie under the present difference in opinion with some of your Council. But in case they should fall into another way of thinking, when they Reflect how singularly they stand by themselves, as well with respect to the opinions of the Government of New York as to the Sentiments of the whole Legislature of Virginia, I therefore leave a Belt of Wampum to be offered by you in behalf of the Colony of Virginia so soon as you see a proper occasion to have your Indians ratify their Engagements for observing the proposed Boundaries, and that they may at the same time be made sensible of the Danger of breaking such Treaty with Virginia. I leave you also the Act of Assembly which has been lately made for that purpose. I likewise leave another Belt to be offered with such Proposition as this Governmt. shall think fitting to make with Respect to the Runaway Negroes and Slaves belonging to Virginia.

I am, with great Respect & Esteem,

Sir, your most obedt. humble servant,

A. SPOTSWOOD.

At a Council held At Philadelphia, Octr. 11th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Isaac Norris, Thomas Masters,
Samuel Preston, James Logan, Secry.
Robert Assheton,

The Secretary laid before the Board the Message to the Indians ordered last night to be prepared, which with very little alteration was approved, and ordered forthwith to be dispatch'd to James Letort, to be by him interpreted to the Indians at Conestogoe, To whom he is also ordered to deliver two Belts of Wampum herewith sent, the

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one to be delivered on the part of this Governmt. at the same time with the Message, and the other Belt to be delivered at the Interpretation of that part of the Message relating to the Runaway Virginia Negroes.

Which Message is as follows.

To the Chiefs of the Conestogoe, Delaware, Shawannese & Ganawese Indians.

Friends & Brethren:

You will rejoice with me that I and my Company are not only safely returned (by Gods blessing) from our long Journey to Albany, but that we have entered into a more firm & solemn League than ever before with all the five Nations. I was in hopes before this time to have seen you there myself in Company with my good ffriend Colo. Spotswood, Governr. of Virginia, who returned with me from Albany to this place, and there to have laid before you the whole Treaty we have made. Colo. Spotswood also intended to come and acquaint you with the Treaty he has made with the five Nations, and to confirm the same with you; but having spent a long time abroad, the year being far gone, and having heard at this Town some News from Virginia, he was obliged to return home without farther Delay. He designed to visit you, and you will take kindly his Good will in this design, and excuse the necessity of leaving us so soon since his Affairs obliged him to it.

I also must attend the meeting of our Assembly next week, and therefore I have ordered the Treaty I made with the ffive Nations, in behalf of all this Government, to be now interpreted to you by James Letort, who was with me at Albany. I shall also as your true ffriend, communicate to you the Treaty that Colo. Spotswood has made with the ffive Nations, which very nearly concerns you for they have included you in it, and have obliged you to observe it as well as themselves.

You know the great pains that we have all taken to preserve Peace among the Indians. There was no End to the Robberies committed by the Young Men of the ffive Nations upon the people of Virginia, and to their Attacks upon the Indians of Virginia. He therefore, by several Treaties, agreed both with the Southern Indians and the ffive Nations upon certain Boundaries & Limits to be fixed by them, that is, that the Indians of Virginia should not pass to the Westward of the great Ridge of Mountains, nor to the Northward of the great River Patowmeck, viz: the Southern Branch of it; And that neither the five Nations, nor any of your or any other Northern Indians should pass to the Southward of the said Southern Branch of Patowmeck, nor to the Eastward of that great Ridge of Mountains, but that the Indians on both sides should exactly observe these Boundaries.

Notwithstanding which the Young Men of the ffive Nations, & some of you sometimes in company with them since that agreement as you very well know have passed over those Boundaries, and have done mischief to the Inhabitants of Virginia & their Indians.

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Therefore to prevent all such mischief for the future, the Governmt. of Virginia have made a very strict Law, by which, if any of the Southern Indians shall come to the Northward of Patowmeck or pass to the Westward of the great Ridge it shall be lawful to put them to Death, and if any of the ffive Nations shall pass the said Boundaries to the Southward or Eastward of the same Boundaries, they shall be treated as publick Enemies and be put to Death, or transported into other Countries beyond the Seas.

And Colo. Spotswood has now, in this most solemn Treaty, agreed with the ffive Nations for and in behalf of Ten Nations, who all inhabit within the great Ridge of Mountains, viz: the Nottaways, Mehevins, Nansemonds, Pammunkies, Cheecominies, Toderickroons, whom they call the Saponies, Ochnieecties, Stenikenocks, Meyroutskies & Tooteloes, that none of them without having a Passport from the Governour to produce, shall on any pretence whatsoever pass over the sd. great Ridge of Mountains to the Westward, nor to the Northward of the River Patowmeck, or in case they do without such a Passport, in shall be lawfull for the Indians to the Northward to put such Southern Indians to Death; And the five Nations shave in like manner, most solemnly agreed for & in behalf of themselves the Maguese, Oneydoes, Onondagues, Cayoogoes and Sinnekes, as also for & in behalf of the Tuscaroroes, the Conestogoes, the Shawannese, the Octatiguanannkroons and the Ostagues, being in all Ten Nations, that none of them without having a Passport to produce the same, shall on any accot. whatsoever pass to the Southward of the River Patowmeck, which they call Kahangorouton, nor to the Eastward of the great Ridge of Mountains, or in case any of them or you shall pass the Boundaries on any accot. whatsoever without a Passport to produce, such Indians shall be put to Death for so being, or be transported and sold for Slaves; and this Treaty they have all confirmed, and signed a Writing under their Hands for an everlasting Remembrance that they & their children & you & your Children may forever observe it.

You see therefore, my Friends & Brethren, that as the five Nations have thought fit for preventing all further misunderstandings with Virginia, to bind not only themselves but have taken upon them to bind you, also most firmly to observe this Treaty; You for your own safety you must give Notice to all your people, that they strictly observe on your parts what they have done, lest any of you should forget & expose yourselves to the punishments which the Virginians will assuredly inflict on those who tresspass that Law and Solemn Agreement, and accordingly I must press you all, as I am your true ffriend, most carefully to remember and observe the same, that you may not by this Treaty be brought into any trouble.

I must further acquaint you, that Colo. Spotswood has left with me a Belt of Wampum, to be delivered to you when your Chiefs think fit all to meet to receive the same, as a mark of your agreement to the Treaty the five Nations have made, which for your own safety you ought to observe, lest you fall under the Punishments to be inflicted on those who violate the Treaty.

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I must also further inform you that the five Nations have agreed in the same Treaty, that neither they nor you shall receive or harbor any Negroes on any accot. whatsoever, but if any of them be found by the Indians in the woods, they shall be taken up and brought to the Governour that they may be returned to their masters, for you know the Negroes are Slaves. But now some of these Negroes having runaway from their masters in Virginia, are said to be entertained by some Shawannese on Patowmeck; Therefore, Colo. Spotswood sends a Belt which is now to be delivered to you that you may take up these Negroes, and he desires that they may be delivered to Colo. Mason, on Patowmeck in Virginia, who will give the Persons who will bring them to him, one Good Gun and two Blankets for each Negro, and I have herewith sent you my Pass that you may safely carry them into Virginia without any danger, & receive that Reward; And the same value you will receive, from time to time, for every Runaway Negro that you shall take up & deliver in the like manner that they may be restored to their master.

This being a matter of Importance, we all expect that the Shawannese shall forthwith deliver all these Negroes which they have, for you very well know that the Conestogoes have obliged themselves to this Government to answer for the Shawannese, for that they shall behave themselves friendly in all things to this Government and to all the English. But to entertain our Slaves is not only scandalous to the Indians but an injury to the English, and is contrary to the Treaty's already made.

At a Council held at Philadelphia, Novr. 5th, 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,
Isaac Norris,
Saml. Preston,
Robert Assheton,
Thomas Masters.
Andrew Hamilton,
James Logan, Secretary.

The Governour represented to the Board, that having made it his Care from his first accession to this Government, to preserve a perfect good understanding with all our neighbours & particularly with Maryland, the measures concerted with that Governmt. notwithstanding the unhappy uncertainty of our Boundaries had proved so successful, that untill some warm & angry steps were made last winter by some Magistrates of Cecil Connty, we had lived very friendly with them. That further, in June last these magistrates had very unkindly made prisoners of Isaac Taylor, the Surveyor, a magistrate & member of Assembly for the County of Chester, and Elisha Gatchel, another magistrate of the same; That those two persons having engaged to

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appear at Cœcil Court, in August last, when the Govr. was obliged to undertake his Journey to Albany. He sent an Express to his good Friend the Govr. of Maryland to have that matter accommodated, but all the Resolutions taken in it, as he finds since his Return by the Report of James Logan and Robert Assheton, whom he had desired to wait on that Govr. at Cœcil Court, was, that those two men should be bound over to the provincial Court at Annapolis, which they were pleased at length to respite on accot. of his absence on that important Journey; That the Govr. had since wrote to Colo. Calvert, requesting that all those differences might lie over as they were till both Governrs. could in person adjust them, which he had proposed to Colo. Calvert to do by a Conference, if that Gentleman would be pleased to meet him. That three days since he had receed. a Letter from Colo. Calvert, dated the 18th of last month, now read to the Board, by wch it manifestly appears that tho' that worthy Gentleman cannot forget his Character and innate Goodness, yet some Counsels seem of late to be entered on in Maryland, inconsistent with the tranquility of his Maties Subjects in both Govermts.

The Governour therefore desires the opinion and advice of this Board, what measures may be most proper for him to take for preventing the fatal consequences of a general misunderstanding with such near Neighbours wt. whom we have hitherto lived in good ffriendship.

The Board hereupon taking the premises seriously in consideration humbly offer it as their opinion, that as the Bounderies of Maryland and Pensilvania upon each other have from the first Settlement of the Latter appeared disputable, and yet such amicable measures have been hitherto concerted between the Governr. of both, that Peace till very lately hath been preserved with that good understanding which is requisite between Neighbours & Subjects of the same Crown; Therefore, it will without a very just Cause given be inexcusable in the aggressors to make any violation of the same. That as our Proprietor for solid Reasons drawn from the Charters to both Provinces claimed to the Southwards of Octararoe, and it had formerly been always understood by this Govmt., that the Lord Baltimore made no Claim to the Northward of that Creek or River, of which better proofs may be given than some of Maryland are willing to admit of. Those of this Province were therefore of opinion, that that to bound themselves by the same Limits the Lord Baltimore had prescribed to himself, would never be the cause of any Dispute with a Governmt. with which they laboured to maintain a perfect amity & good understanding.

That the Settlement of Nottingham having been made by this Province near twenty years since within the Limits we conceived to be our Proprietors undoubted Right, and with all due Caution & Tenderness not to interfere with the Claims of Maryland. In case that Tract called Talbots Mannor should be reverted to the Lord Proprietor, and Nottingham should appear to be within the Bounds of that

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Mannor, as is alledged from some late discoveries said to be made concerning it, there is the greater reason to expect that the Lord Baltemore, as the Genl. Proprietor, may be the better satisfied to let those inhabitants rest unmolested till such time as it shall appear whether the Countrey where those Lands lie, shall on a full Determination of the Boundaries prove truely to be his right, especially since (as this Board has been informed) the enlargement of the first Grant of that Mannor, being upon a very slender Consideration, seems to have been regarded as a thing of little or no value to him, but as it could be obtained out of another Province by the endeavours of the Grantee. Otherwise, it appears difficult to accot. why the Lord Baltemore should so easily part with such a quantity of Land for only a Trifle; That if the Survey & Grant of the Tract called New Munster be of so ancient a Date as Colo. Calverts Letter expresses, yet it was not known nor heard of by any in this Province (as far as can be discovered by this Board) for a great many years after, that that the Survey and Settlements made thereon in right of Pensilvania by purchasers in England above forty years old, were made innocently without the least suspicion that any Persons right was invaded by that Settlement; And if it prove true that the local Bounds of it are so uncertain that (as is alledged) the Lines now claimed err by half a mile in their prescribed distance from Elk River, It appears consonant to Reason that these Boundaries, when the Genl. Title of the Proprietors to the Lands is settled, if they fall to Maryland should be adjusted by disinterested Persons, and that in the mean time the Possessors on Pensilvania Rights while they deprive no Marylander of theirs should hold them peaceably, and be left to make their Terms if the Proprietors, should fail to make them for them on the Grand Decision.

That as it appears that Isaac Taylor was taken by the officers of Maryland, only for Surveying to the Northward of the Line to which this Province, as has been said, has always claimed some certain Lands at the request of their Possessors that had never been granted nor surveyed by Maryland, and Elisha Gatchel, upon an action grounded on a falsehood, with a design to try them for their supposed Crimes by a Court of Maryland; It is evident that as the whole controversie turns upon the Boundaries in which neither Province can be impartial, and therefore are not to be allowed Judges in the Case. To press these men by such a Trial is no better than determining it by Force, wch is inconsistent with all that can be accounted Legal. That the Case being the same in General in all these Disputes, It is inconsistent with the Duty of all those concerned in Government to give way to any measures so incompatible with the maintenance of the Peace of his Majesties Subjects committed to their Care, as these proceeding in their nature appear to be. That to allow of them would throw both Provinces into a State of War, the promoters of wch must deservedly feel the heavey Censures of his Majesty, for that the aggressors must accot. for all the ensuing mischief; That it is no new

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thing in America that the Boundaries of two Countries should lie for many years undetermined, those of New York & New Jersey being so to this Day. Yet this Board never heard that Hostilities, or what ammounts to them, were committed in such Cases, or that officers were employed to raise Levies by force on the Settlements of each other.

Upon these considerations, It is the advice of this Board that the Governour would be pleased to state these matters fully to the Governour of Maryland, whose good understanding & Humanity can never approve of such unfriendly, not to say hostile Proceedings; That the Governour also would be pleased to give himself the trouble of meeting that Gent., and in the most friendly manner labour to discuss the matter of all former Complaints, and stipulate such measures as till the Boundaries are settled, may prevent them for the future; That in the mean time effectually to end those differences, application be made to the Proprietor at Home to press a final adjustment of the Boundaries; That in case the Province of Maryland, hitherto our good Neighbours, should now so far change their measures as no longer to preserve Peace with us. The Governour would then be pleased to represent the matter effectually to the King & his Ministry, and in the mean time by all legal methods to support the peaceable People of this Province, as well as the Proprietor in the just Possession & Enjoyment of their Rights.

At a Council held at Philadelphia, the 19th of Novr., 1722.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Thomas Masters,
Robert Assheton,	William Assheton,
Andrew Hamilton,	James Logan, Secretary.

The Governour not having had sufficient time, at the last meeting of the Council, to lay before the Board the Answer he had received from the Indians of Conestogoe, by James Le Tort, to the message sent them from himself & the Board, the 11th of October last, now orders the same to be read, & is in these words.

Conestogoe, Octr. 18th, 1722.

The Indians Speech to his Excellency Sir William Keith, Bart., Governour of the Province of Pensilvania, & his Honble Council at Philadelphia.

Brethren:

We have heard a Relation of the Governours Proceedings at Albany, interpreted by James Le Tort, and are very glad for his safe Return, as also of the Governour of Virginia and his proceedings, from which we have a small Dread upon us, but we being here had not the opportunity to know what was acted.

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The last time the Governour was here, we were in hopes he would clear all misunderstanding.

We are very thankfull for the Governour's Care in letting us know the Law with respect to Virginia, and will take care to acquaint others and take care to observe as directed by the Treaty which is engaged on our Parts.

We are thankfull for the Belt of Wampum sent by the Governour in confirming the Law, & acquainting us of the Strickness of its Tyes.

We are troubled in mind of being stop't for fear of some evil Consequence to happen thereby. Notwithstanding We say, as the three Governours agreeing with the ffive Nations on it, we are satisfied.

We were in hopes there should been free Liberty to Pass & Repass, but as it's agreed otherwise, We will observe.

We likewise, the Chiefs of the Conestogoes, Connays, Delawares & Shawannoes, send this Belt of Wampum to the Govr. & Council to confirm our Speech, Consent & Approbation, & thankfully acknowledging the Governours Care for & on our Behalf at the Treaty at Albany, and in the Spring our Chiefs will pay a visit to your Excellency and Honble Council at Philadelphia.

An Answer also from the Shawanna King in answer to that part of the message relating to the fugitive Negroes from Virginia, were read in these words:

Conestogoe, Octr. 18th, 1722.

From the Shawanna King To his Excellency Sir William Keith, Bart., Governour of the Province of Pensilvania.

These are to acquaint you Brother concerning these Negroes Slaves belonging to Virginia, now at or amongst the Shawannoes at Oppertus. I will go my own self and take assistance where they are not exceeding the number 10 as directed. And as soon in the Spring as the Bark will run, We will lose no time to perform the taking of them according to Direction, for now they are abroad a Hunting, so it can be done no sooner; besides, there will be Hazard in Seizing them for they are well armed, but we must take them by Guile.

I am yr. Excellys most humble Servt.

THE SHAWANNA KING.

The Governr. further acquainted the Board, that the principal occasion of calling them together at this time was to advise with them upon the Proceedings of Maryland against Isaac Taylor & Elisha Catchell, upon whose accot. the last Council had met. That the said Persons, according to their Engagements to the former Quarterly Court for Cœcil County had appeared at their last Court, and that the said Court had made an order of which they had procured a Copy in these Words: "Ordered, that Isaac Taylor & Elisha

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Gatchel be committed into the Sheriff's custody untill they find sufficient Security for their appearance at the next provincial Court, according to order of the Governr. & Council."

S. KNIGHT, Clerk.

That the Sheriff of that County had accordingly taken them into Custody, but that they had obtained leave for a few days to visit their families, and in the mean time came hither for advice, but that on the 24th of this instant they were obliged to be with the Sheriff, at his House in Cœcil county.

The Govr. hereupon desires the opinion of this Board what measures may be most advisable to be taken for these men's Relief, and the subject matter being the same that was under the consideration of of the Board at their last meeting.

It is further Resolved, That as it appears to this Board, that the ffacts for wch the sd. Isaac Taylor & Elisha Gatchel have been apprehended & committed by Maryland were within the Bounds of this Province, as Granted by his Maty King Charles the Second, and as they had been for many years acknowledged by Maryland, and have for twenty years past or thereabouts been in the Possession of the Inhabitants of this Province; Therefore, they ought not by any means submit to any of their Courts or Orders, or acknowledge their Jurisdiction over them, and that this Governmt. ought to support them in the Defence of their just Rights.

At a Council held at Philadelphia, May 20th, 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governr.

James Logan, Samuel Preston, } Esq'rs.
Robert Assheton, Thomas Masters, }

The Governr. acquainted the Board, that he had thought fit to appoint Patrick Baird, his Secretary, to be Clerk of the Council, and that he would in a fuller Board give his Reasons for so doing.

Then He communicated to the Board the Speech of Whiwhinjac, King of the Gannawese Indians, delivered to the Governor (when there was not a sufficient number of Counsellors to make a Quorum) by Civility, in the name of the sd. Whiwhinjac, and of his and all the other three Nations of Indians upon Susquehanna, viz: the Conestogoes, Delawares & Shawannese, at the Court House, May the 18th, & rendred English by Ezekiel Harlan, Interpreter, which was read & is as follows:

They rejoice that there is a Governr. here from England that loves the Indians as William Penn did.

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They remember that William Penn did not approve of the methods of treating the Indians as Children, or Brethren by joining Hands, for in all these Cases, accidents may happen to break or weaken the tyes of Friendship. But William Penn said, We must all be one half Indian & the other half English, being as one Flesh & one Blood under one Head.

William Penn often spoke to them and desired the Indians might hearken to what he said, and after three Generations were passed, and the People gone who heard his words, he desired that the writing which he left with them might be read to the fourth Generation that they might know it was the sense and words of their Grandfathers.

William Penn knew the Indians to be a discerning People, that had Eyes to see a far off, and Ears to hearken unto & discover any approaching Danger, and he ever looked upon them as his Brethren.

William Penn told them he perceived that the Indians delighted too much in going to War, but he advised them to Peace, for if they went abroad to War and thereby provoke other Nations to come & destroy them.

He would not in that Case give them Countenance or any Assistance, but if they lived at home in Peace & minded their Hunting he would not only take care of their Goods & Families to protect them, but would also furnish them with Powder & Lead to defend themselves against those who might come to War upon them.

It was agreed both by William Penn & the Indians, that if it should happen at any time that either of them did forget the strict League of Friendship then made between them, the Party who faithfully kept and remembred the Covenant Chain should take the other, who had forgot, gently as it were by the shoulder and put him in mind of it again.

As the Governour went last year to Albany to make a firm Peace with the five Nations, and to bury the Blood of an Indian that had been spilt by the English Whiwhinjac, the Ganawese King, here present, is come in the name of all the four Nations of Indians upon Susquehannah, viz: the Ganawese, Shawannoes, Conestogoes and Delawares, to desire that the same Blood may not only be buried but wash'd away as it were by a swift running Stream of Water never more to be seen or heard of, and they further desire the Governor to believe that as they are one flesh with the English, they look upon themselves to be equally concerned with them in accidents of that Nature.

They desire the Government may keep this Treaty in remembrance, so as that no Clouds of any kind may arise to obscure it, but that it may remain bright and lasting as the Sun, & they desire that the Settlers & young men near Conestogoe & their other Towns, may be directed to treat them with Kindness and Respect like Brethren.

They also desire that the English may not be suffered to straiten

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or pinch the Ganawese or Shawannoes to make them remove further off, but to consider them as Brethren, for they have heard some words to this purpose which they do not care to mention.

They are glad to find the English continue to send their young men with Goods amongst them, and they acknowledge that the Traders are now very Civil & Kind to them, whereby they Eat their Victuals without Fear & have a true Relish of them.

The Shawannoes, Gannawese, Conestogoes & Delawares, shall never forget the words of William Penn, but since that Treaty was made between Him & Them, they do not find that we have been so careful to come as often to renew it with them at Conestogoe, as they have been to come to us at Philadelphia.

They the said Indians both old & young do return the Governr their hearty Thanks for his Care last year in sending Corn & Biscuit to their Families when they wanted it very much.

Having finished what they had to say, Whiwhinjac, in the name & on behalf of all the said Indians, makes a present to the Governour of 200 Skins.

The young men of the Ganaway Town, in behalf of all their People say by way of Complaint,

* * * * *
* * * * *

Then the Governrs. Answer to the Indians, which he was about to deliver, was read and approved.

It was then considered by the Board what Presents should be returned to the Indians, and agreed to be as follows, viz: a Barrel of Powder, Twelve Gallons of Rum, 800 lb. of Biscuit, one Groce of Pipes, 20 lb. of Tobacco, 15 Strowd Match Coats, 15 Blankets, 5 pair of Shoes & Buckles, 5 pair of Stockings, 150 lb. of Lead, and Meat to the value of Twenty Shillings.

Mr. Logan, the Secretary, produced a Return of an Order of Council of febry. 19th last which is as follows:

By Virtue of an Order of Council held at Philada. the 19th day of Febry., 1722, It was ordered, that John Knowles, John Wilmerton, Joseph Paul, John Atkins, Edward Brooks, & Richard Buzby do view a certain part of the great Road leading to Burlington through John Shallcrosses & Thomas Kentons Lands in the Township of Oxford Do Certify that we have both viewed & measured both Roads & finding the difference in Longitude to be only about two or three Perches, and that the new Road is better Land than the old, & that the Owners of the said Lands may & ought according to our Judgment and Order of the above sd. Council, make & clear the new Road effectual & commodious for Passengers & Travellers at their own Charges which said Road begins in the old Road near the Corners of the said Thomas Kentons & Solomon Halls Fences thence North Eighty four Degrees Easterly thirty two perches, thence North Eighty Eight Degrees Easterly one hundred & eighty

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perches, thence north sixty seven Degrees easterly eighteen perches, thence North forty four Degs. easterly eighty two perches to the old Road which courses are desired to be Confirmed.

PETER TAYLOR, Surr.

Jno. Wilmerton,	John Atkins,
Joseph Paul,	John Knowles,
Richd. Buzby,	Edwd. Brooks.

March 8th, 1722.

The Governour read a Letter from James Mitchell Justice of the Peace in Chester County directed to the Governour & Council, Dated at Donnegal April 25th 1723, containing an Address from Ocowellos King of the upper Shawanese &c. To which the Board agreed to make Answer as follows.

In Answer to the message from the uppear Shawanese on Susquehanna, mentioning their past visits, and another shortly intended to the Governour of Canada whom they think fit to call their Father. The Governour & Council say, That William Penns people in this Countrey, are by Treaties united to all the Indians as in one Body; But the ffrench & English are two distinct People, as the long Wars that have been between the English & them fully shew. Now no Indians that are united to us can be joyned to them, because that would divide the same Body into two Parts and utterly destroy it.

The Govr. & Council therefore, cannot agree that any of our Brethren should be joyned in League to any other Nation or People than to the Subjects of our Great King George who is the Head of all the English and of their Brethren. If these Indians are united to us, we shall desire their Company and that they may live with us as Brethren in Peace & Love as all our other Brethren have hitherto done and ever must do with us.

The Governr. at their request sends them five Gallons of Rum to chear their Hearts at hearing of these his Words, and one Strowd Match Coat to Confirm them.

The Board agreed to meet the Indians at the Court House the same Afternoon & accordingly,

P. M: PRESENT:

The Honble the Governour, and same members as in the afternoon, sundry Gentlemen & many other People.

Whiwhinjac, Civility, sundry Chiefs & other Indians.

Ezekiel Harlan & Indian Smith, Interpreters.

The Governr. answered Whiwhinjac's Speech of the 18th instant, as follows.

Brethren: You Know that I came from William Penn to fulfill his kind words to the Indians, and to be as a Father to them now, since He is gone.

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It is also the Orders & Command of the Great King George my Master, That the English & the Indians should live together as Brethren in one Family.

If any of us therefore happen to be sick or in want of food the other should help him, and when any Loss or Misfortune befalls either the English or the Indians, the other is sorry & in grief for it.

You say William Penn Knew you to be a discerning People that could see and hear afar off, and I say you Know the English to be a faithful good People who always keep their Treaties & Leagues punctually with the Indians, and you also know that our Laws make no distinction between our people and yours.

We being thus linked together in one Family, we ought always to have but one Counsel and so be of one mind, and therefore we cannot suffer one half to go to War while the other remains at home in Peace.

When any People are divided in their Councils & opinions they grow weak & soon become a prey to their Enemies.

In such cases you know it is the constant practice amongst your People to consult together in Council untill the old & wise men overcome & convince the weaker heads of the young & foolish.

Just so ought you to do with us, because we are altogether one people, and then the Family become strong in Love Peace & Friendship to each other.

Remember that this is the bright Chain of Love and Friendship wherewith William Penn bound your People and his together, never more to be separated. By this Chain Philadelphia is joined to Conestogoe, and all the Indian Towns upon Susquehanna.

By laying our hands hs it were on this Chain, We can safely travel by night or by day through all your Towns, and into the woods, and in like manner your people are thereby conducted safely through all our Settlements back again to us at Philadelphia.

You must know & remember that it is my proper Office & Business, as Governor of the whole Country to keep this Chain perfectly clean and free from the least Speck of Rust.

You therefore Whiwhinjac, King of the Ganawese who have now spoke to me in the name and on the behalf of the four Nations of Indians upon Susquehanna must remember what I am now going to say and tell the other Chiefs of these Nations That I expect you and they being frequently in Council together with your old & wise men will be exceedingly carefull to keep that End of the Chain towards your own Settlements always bright & Clear, and you may assure all your People that as often as any of them have occasion to come down to visit their Brethren the English here, they shall not find the least spot on this End of the Chain fastned here, which is always in my view and shall be my particular Care.

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The dead Body of our Indian Brother whom you mention was covered by me at Albany in the sight of all the Chiefs of the Five Nations and to the Satisfaction of his Kindred; Nevertheless I take it very kindly that you now desire that Blood may be washed away under the Ground never more to be seen or heard of. This shews that you are truely our Brethren, and hereupon I embrace and as it were take into my arms you and all your People.

I will take care that no English Settlements shall hereafter be made too near your Towns to disturb you, so that the Shawanoes & Ganawese may remain in Peace where they now are, for we are well pleased with them as Neighbours and do not desire to see them remove further from us. But as I have always been ready to hear your Complaints and to take care of you as my own Children, so I must also do by the English; Wherefore I desire you will be mindfull to treat them like Brethren of the same family and do not suffer your young People with their Dogs & Arrows to Hunt & Kill their Creatures.

I gave you these things here before you to confirm what I have said, viz: the presents before mentd.

I have also ordered some Provisions and Gallons of Rum to help you back to your Families, and I heartily wish you a good Journey home, —— which done.

Civility, by the Interpreter, told the Governour he had something to say, which was,

The Indians well approve of all the Govr. had said except where he told them that the English Law made no difference between the English and Indians, for they should not like, upon an Indians committing a fault, that he should be imprisoned as they had seen some Englishmen were.

To which the Governor answered,

That they misapprehended his meaning, which was, That if any Englishman did injury to an Indian he should suffer the same punishment as if he had done it to an Englishman. But if an Indian committed Robbery or such like Crime agst. the English, he would acquaint their Chief with it and from expect Satisfaction.

Then Civility told the Governr. that they looked upon it as a great Hardship for them to be confined from Hunting on the other side Patowmeck, for that in their neighbouring Woods was but little Game.

To which the Govr. answered,

That the ffive Nations by their Treaty with the Governr. of Virginia had agreed not only to forbear themselves, but also to restrain the Susquehanna Indians from Hunting there, for that He (Civility) knew that some of the ffive Nations under pretence of hunting had gone then formerly and murdered & plundered some of the English, which was the cause of making that severe article in the Treaty.

Then Civility said, That Whiwhinjac and the rest purposed to proceed to Annapolis, to renew their League of Friendship with the

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Governor there as the has done here, and they thought proper to acquaint him thereof.

To wch the Govr. answered,

That the people of Maryland & Pensilvania were very good Friends, and he was contented they should go, but that y^e^ Indians should consider that as they were Inhabitants of Pensilvania, they were immediately subjects of that Governmt., & none other.

At a Council held at Philadelphia, Aug. 3d, 1723.

PRESENT :

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, James Logan, } Esq'rs.
Samuel Preston, Robert Assheton, }

The Governour inform'd the Board that he had the preceding Night received a Letter from the Governour of Maryland, by an Express, which was read and is as follows :

ANNAPOLIS, July 29th, 1723.

SIR : Having received Instructions from the Rigt. Honble Charles Lord Baltemore, absolute Lord & Proprietary of the Province of Maryland, forthwith to return to him, the true Limits & Boundaries of the said Province, in pursuance of a Letter from the Right Honble the Lords Commissioners for Trade & Plantations. I, in obedience to his Lordships Commands, send this to acquaint you, that I intend on the 10th, 11th & 12th days of Septr. next on the west side of the Susquehannah River, to take the fortieth Degree of northerly Latitude from the Equinoctial, the better towards enabling me to answer the Ends of his Majesties Service express'd in their said Lordships Letter. And the Lord Baltemore hath thought proper thus to make known the same unto you, lest you or some of the Pensilvanians our Neighbours might take Umbrage or misconster these our Transactions.

I am, Sir, with great Esteem,

Your most humble Servant,

CHA. CALVERT.

Address'd To his Excellency Sir William Keith, Bart., Governour of Pensilvania, Philadelphia.

Then the Govr. produced a Letter which he had received from the Right Honble the Lords Commissioners for Trade & Plantations, dated Aug. 7th, 1719, which was read, and is as follows:

* * * * *

And after some reasoning upon the subject of Colo. Calvert's Letter, the Board agreed with the Governour in his Sentiments, and recommended it to Him to return a proper & full Answer thereto.

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At a Council held at Philada., Septr. 4, 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	} Esq'rs.
Anthony Palmer,	Robert Assheton,	

The Governour acquainted the Board that he had answered Colo. Calverts Letter of July 29th last as follows:

Sir: I have the Honr. of yours dated the 29th ult., by your Express, wherein you acquaint me that you have received Instructions from my Lord Baltemore, forthwith to Return to him the true Limits & Bounderies of the Province of Maryland, pursuant to a Letter from the Right Honble the Lords Commissioners for Trade & Plantations directed, as I suppose, to His Lordship for that purpose. You also in obedience to his Lordships Commands are therein pleased to give me notice that you intend on the 10th, 11th & 12th days of Sept. next, upon the west side of Susquehanna River to take the 40th Degree of northern Latitude from the Equinoctial, the better to enable you to answer the Ends of his Majesties Service expressed in their Lordships said Letter; and your further add, that my Lord Baltemore has thought proper thus to make known the same unto me, least I, or any Inhabitants of Pensilvania should take umbrage at or misconstrue your Transactions.

In Answer, I beg leave to think that my Carriage & Behaviour since I have been Governour of this Province, has whenever an occasion offered, been truely respectfull to my Lord Baltemore, for whose Person and noble Character I do profess a very great & most sincere Esteem, so that I cannot imagine how His Lordship or any of his Friends can conceive that I should concern myself with, and much less take umbrage at any orders which his Ldship is pleased to give to his officers in Maryland, or the Transactions to be done in pursuance of such his Lordships Orders, within the just or reputed known Limits of his Province of Maryland. But, if under the pretence of executing any orders from my Lord Baltimore, or from the Lords Commissioners of Trade & Plantatations, which have not been communicated to the Proprietor or Governour of this Province for the time being, it is intended or designed to take any Observation or Run out any Line whereby the Proprietor of Pensilvania may be hereafter excluded from, or in the least prejudiced in what will on a fair Enquiry appear to be his just Right, or if under any pretence whatsoever it be proposed that the officers of Maryland by themselves, and without the concurrence of the Proprietor of this Province, or of such as are lawfully impowered by him, shall take upon them, to extend by any Observation or Survey, the northern Boundary of Maryland beyond the Octoraroe Line, established (as I am ready to prove by incontestible Evidence) above forty years ago by Charles then Lord Baltemore, and Second Proprietor of that Province, who certainly was

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well acquainted with the meaning & construction of his own Patent or Grant from the Crown, in either of those cases. I beg leave to say, that my Duty indispensably obliges me strenuously to oppose all Observations or Surveys made with any such unequitable & partial Intent.

In the year 1719, I received a Letter from the Right Honble The Lords Commissioners of Trade & Plantations of which I herewth send you a Copy, because I believe it to be in Course much the same with what you mention to have been received on the part of Maryland, and if so, you may easily observe that there is not any thing there which will direct or countenance you to discover the Bounds of Maryland by Astronomical Rules and uncertain Observations, So that probably it must be some other Service than that of His Majesty, or the Proprietor of Maryland which now gives Rise to such a Conceit. But if Mr. Secretary Lloyd, whom I know to be a very ingenious & inquisitive Gentleman, must needs improve his skill in Observations of that nature, it is my humble opinion, he will do it to better purpose and more safely, by consulting my Lord Baltemore's original Patent or Grant, which confines the Province of Maryland on this side, in these words: "To that part of Delaware Bay which "lyeth under the fortieth Degree or Northely Latitude," than by running up into the Woods on the west side of Susquehanna River, without a sufficient authority & proper Direction for that purpose.

I take this opportunity to put you in mind of your Promise last March when I waited for the Honr. of your Company at New Castle, viz: That as soon as some Letters then expected from my Lord Baltemore did arrive, you would certainly give me a meeting in Company with some Gentlemen of your Council, in order to Quiet the minds of the People, by calmly hearing what was to be said on both sides, and settling such littie Differences as had then happened on the Frontiers between these two Provinces. As this would be an act truely becoming the Duty of our respective Stations, it could not fail to meet with a general approbation at Home, and therefore I humbly entreat you will be pleased to lay this Proposal before your Council, as a matter of some Importance which claims their serious Deliberation, before you proceed to take your proposed Observations upon Susquehanna, and whatever time & place you and the Council of Maryland think fit to agree upon for conferring with me, and some Gentlemen of my Council in order to adjust all Differences in opinion about Limits or other misunderstandings, shall upon Notice thereof be punctually observed and complyed with by

Sir, your most obedient humble Servant,

W. KEITH.

Of which Answer the Board very well approved.

The Governour then informed the Board, that he had since that time received another Letter from Govr. Calvert which was read, and is as follows:

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ANNAPOLIS, Augt. 19th, 1728.

Sir Willm.:

I have the Honr. of yours dated the 3d instant in answer to mine of the 29th ult., which according to your desire I have laid before my Council. They are unanimously of opinion that it is necessary I should in as peaceable a manner as possible, strictly observe his Lordships Instructions lately received, wch expressly enjoyn me to take an Observation on the west side of Susquehannah, on the 10th, 11th & 12th of September next, from whence you will easily perceive that the doing so is not a Project or Concert of Mr. Secretary Loyd's.

They are likewise of opinion, that it is not adviseable for me, at present, to enter into any Conference which may in any wise relate to or affect the Boundaries, But you may be assured that I shall use all means in my Power to Quiet any Differences which may arise, and preserve the public Peace between his Majesties Subjects in both Provinces.

I am, Sir, with the greatest Regard,

Your most humble Servant,

CHA. CALVERT.

P. S. I intend to be upon the Plantation of Robert West, called Maidens Mount, in Baltemore County, but commonly known by the name of Bald Fryar, on Monday the 9th day of Septr., in order there to begin to take the Observations.

C. C.

The Governour then acquainted the Board that he proposed on the morrow to go for Conestogoe, whereupon they requested him to meet Colo. Calvert upon Susquehannah if he could conveniently.

At a Council held at Philadelphia, 22d Novr., 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston,
Anthony Palmer, Robert Assheton, } Esq'rs.
Henry Brooke,

The Governour proposed to the Board, (that in regard some late members of the Council being dead, others sick, & some absent, and at a time when the Assembly was sitting, & when Business of Conquence might probably offer,) that an addition be made to the number of members of Council, & named William Fishbourn & Josiah Rolfe as proper Persons to be called; To which Proposal the Board unanimously agreed.

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Then the Govr. produced the Draught of an humble Address to his Majesty on occasion of the happy Discovery of the late traiterous Conspiracy in England against his Maties Person & Government, to which He desired the concurrence of the Board. The same was read, and with some small amendment unanimously agreed to.

Then Richard Hill & Henry Brooke, Esqrs., two of the members, were appointed to wait upon the House of Representatives, to desire their Concurrence with the Governour & Council in presenting the said Address.

On the Petition of John Shallcross & Thomas Kenton, praying that the part of the great Road leading to Burlington, which passes through their Lands & mentioned in a former Petition & Order of Cauncil of the 19th of Febry. last, may, according to the return thereof be Confirmed. The same is Granted & accordingly Confirmed.

On the Petition of sundry Inhabitants of the Counties of Philada. & Chester, praying that Six other men (different from those by a former order of Council appointed,) may be ordered to view the Land and to lay out a high Road from William Paschal's, on the great Conestogoe Road, to the Swedes Ford over Schuylkill; And on another Petition of divers Inhabitants of the Counties of Chester & Philada., to the same purpose, both read. Ordered That William Davies, Caleb Evans, and Evan Evans of Radnor, Hugh Hughes, Thos. Morgan, Morris Llewellyn, & William Havard of Merrion, Evan Hughes and John David of East Town, do view the said Land & lay out a Road from William Paschal's, in Whitland, (following the most commodious Courses for the public) to the Swedes Ford upon Schuylkill, and to make Return thereof to this Board in Six weeks at furthest.

At a Council held at Philada., 28th Novr., 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston, } Esq'rs.
Robert Assheton, }

William Fishbourn, Esqr., attending, was called in, & after having taken & subscribed the several Qualifications required by Law, as also that of a Counsellor of this Province, He took his place at the Board.

The Governour acquainted the Board that on the 22d Inst., post merid, the House of Representatives returned to Him the Draught of the Address to his Majesty which had been sent down for their Concurrence, with a Message, That the said House with their Speaker

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unanimously concurr'd with the Governour and Council in presenting the said Address without any amendmt. which Address is as follows.*

To the Kings Most Excellent Majesty,

The Humble Address of the Governour, Council and Assembly of the Province of Pensilvania met at Philada. the 22d day of November 1723.

Most Gracious Sovereign:

When we reflect on the most providential Event of your Majesties peaceable Accession to the Throne of your Ancestors, and pursue the same Divine Hand through the many uncommon Blessings, which from the Fountain of your Wisdom and Royal Clemency have flowed upon all your Dominions during the Course of your Great Reign. We find in our Breasts an irresistable Desire to Declare in the most publick manner we can, our utter abhorrence of the unnatural and most absurd Principles of those wicked men, who were any ways concerned in Framing & carrying on the late traitorous Conspiracy against your Majesties Sacred Person & Government.

We Bless God, and at the same time most heartily congratulate your Sacred Majesty, on the seasonable, clear, & happy Discovery of that detestable Plot; and that your most Serene Majesty, and all the illustrious Branches of your Royal Family, may forever continue to Prosper under the apparent Influences of Heaven, by subduing your Enemies, endearing your Allies, aud making all your good Subjects perfectly Happy, is the Wishes and Prayers of

May it please your Majesty, your Majesties most Loyal, most Faithfull, and most obedient Subjects,

W. KEITH, &c. &c.

Note: Those members of the Council & House of Representatives, who are of the People called Quakers; agreed to the whole Substance of this Address, but excepted to the Stile.

A Bill from the House of Representatives for emitting & making Current £30,000 in Bills of Credit, was Read, and Considered, but there being several Blanks in the latter part of the said Bill, the further Consideration thereof is referr'd till to morrow.

Then the Governour read a rough Draught of several Clauses which He intended to propose to the House of Representatives as a proper Addition to the said Bill, after which the Council Adjourned.

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*See the Minute of Decr. 7th, next.

At a Council held at Philada., 3d December 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston, } Esq'rs.
Robert Assheton, William Fishbourn, }

Josiah Rolfe, Esqr., attending, was called in, and after having

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taken & subscribed the several Oaths required by Law, as also that of a Counseller of this Province, He took his place at the Board. Then the Council adjourned till afternoon.

EODEM DIE P. M.

PRESENT:

The Governour and same members as in the Forenoon, & Anthony Palmer Esqr.

The Bill for emitting & making Currt. £30,000 in Bills of Credit, was read Paragraph by Paragraph and considered, & after several amendments proposed, the further consideration thereof was referred till to morrow; till when the Council adjourned.

At a Council held at Philada., 4th Decr., 1728.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Robert Assheton, } Esq'rs.
William Fishbourn, Josiah Rolfe, }

The Bill for emitting & making Currt. £30,000 in Bills of Credit, was further considered, and some few amendments made, and ordered That the Bill together with the amendments be carried back to the House of Representatives.

On the Petition of Thomas Lindley and George Aston, praying that Leave may be given them at their own Cost or Charge to alter part of a Road passing through their Lands near Thomas Moores Mill in Chester County.

Ordered That John Minehold, Thomas Moore, Joseph Coleman, James Thomas, Michael Harland, & Jno. Taylor do view the said Land, and if no inconveniency arise from altering the same road, That they or any four of them, do lay out a Road through the said Lands commodious for the Publick and as little hurtfull as may be to any private Person to be at the Expence of the said Thomas Lindly & George Aston, cleared & made; And that they make Return of their proceedings therein to this Board within Six Weeks at furthest.

At a Council held at Philada., 5th Decr., 1728.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Robert Assheton, Henry Brooke, } Esq'rs.
William Fishbourn, Josiah Rolfe, }

The Bill for emitting & making Curt. £30,000 in Bills of Credit,

being returned together with the yesterdays amendments by the Governour in Council, and some of the said amendments being conceded to by the House of Representatives, the Board considered further of the said Bill and having agreed to entertain proposed Alterations, Ordered That a Copy of the same together with the Bill be remitted to the House.

At a Council held at Philada., 7th Decr., 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Samuel Preston,	Esq'rs.
Robert Assheton,	Henry Brooke,	
Willm. Fishbourn,	Josiah Rolfe,	

The Council being met The Governour sent down for the House of Representatives in order to Sign the humble Address to His Majesty, which was voted and agreed unto the 22d ult., and accordingly, the House with their Speaker came up and the same was Sign'd (its Tenor is as inserted in the Minutes of Novr. 28th) by the Governr., all the members of Council this day present, and by David Lloyd Speaker of the House of Representatives, by Order and on behalf of the whole House, N. C. D.

At a Council held at Philada., 9th Decr., 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Isaac Norris,	Esq'rs.
Samuel Preston,	Anthony Palmer,	
Robert Assheton,	Henry Brooke,	
William Fishbourn,	Josiah Rolfe,	

The Minutes of the former Council were read as usual, then a Bill from the House of Representatives for laying an Excise upon all Wine, Brandy, Rum & other Spirits, retailed in this Province, was read & considered, and an amendment thereunto proposed a Copy whereof together with the Bill is ordered to be carried to the House of Representatives.

Then the Govr. observed to the Board that in regard some of the late Magistrates of the Province were dead & others absent He thought it would be necessary to issue out new Commissions of the Peace, and recommend to them to consider of proper persons to fill up these vacant places in the Magistracy, against another meeting of Council.

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At a Council held at Philada., 11th Decr., 1723.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Robert Assheton, Henry Brooke, } Esq'rs.
William Fishbourn, Josiah Rolfe, }

The Minutes of the preceding Council read Then a Bill from the House of Representatives prescribing the fforms of Declaration of Fidelity, &c. instead of the fforms heretofore required, was read, as were also two Petitions to the House of Representatives for, and other two against the said Bill, the consideration whereof is deferr'd till to morrow, till when the Council adjourned.

At a Council held at Philadia., 12th Decr., 1723.

PRESENT:

The Honble WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston,
Anthony Palmer, Robert Assheton,
Andrew Hamilton, Henry Brooke, } Esq'rs.
Willm. Fishbourn, Josiah Rolfe,

The Council being met, The Governour sent down for the House of Representatives, which accordingly with their Speaker came up, and presented to the Govr. two engrossed Bills, the first entituled An act for Emitting and making Current £30,000 in Bills of Credit, the other, An act laying an Excise on all Wine, Rum, Brandy and other Spirits retailed in this Province, both which, the Governour Pass'd into Laws of this Province, and then the House withdrew.

Then the Governour, according to what he had mentioned to the Board in a preceding Council, produced a List of the Names of such Persons as he thought fittest to Serve in the Magistracy, to all whom, none of the Board made any exception.

At a Council held at Philadelphia, 31st Janry, 1723-4.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Robert Assheton, Andrew Hamilton, } Esq'rs.
Henry Brooke, Josiah Rolfe, }

The Return of an Order of Council of the 25th of Janr., 1722-3, Signed by Joseph Coleman, Robert Jones, &c., dated the 20th of Novr. 1723 was read; as also the Return of another Order of

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Council of the 22d Novr., 1723 signed by Thomas Morgan, Evan Hughes, &c., dated the 12th Janr., 1723-4, together with the several Petitions of both parties relating to a Road from William Paschals, in Chester County, to the Swedes Ford over Scuylkill, severally praying that the said Road may confirmed according to their respective Returns, all which having been considered by the Board, and John Havard appearing in behalf of the latter Return.

Ordered That both Parties do severally prepare an exact Draught or Chart according to the Return for which they are concerned, and bring the same before this Board betwixt and the 20th of Febry. next ensuing, and that the said John Havard do make known unto the said Joseph Coleman, Robt. Jones, &c., or some of them, this present Order by shewing them a Copy thereof within three Days that they may not pretend Ignorance. And in case they shall neglect to comply therewith upon such Notice given, That then, the said Return, of Janry. the 12th, shall be, & is hereby Confirmed.

The Return of an Order of Council of Decr. 4th, last past, for viewing & laying out part of a Road through the Lands of Thomas Lindley & George Aston in Chester County, being read, and it appearing under the Hands of the Persons to whom the said Order was directed that no inconveniency does arise from altering the said Road according to the Petition of the said Lindley & Aston—Ordered That the said Thomas Lindly & George Aston, do Clear the sd. Road passing through their Lands at their own proper Costs & Charges according to the aforesd. Return, and that the same be & is hereby accordingly Confirmed.

At a Council held at Philadelphia, April 30th, 1724.

PRESENT.

The Honble Sir WILLIAM KEITH, Bart., Governr.

Samuel Preston,	Robert Assheton,	} Esq'rs.
William Fishbourn,	Josiah Rolfe,	

The Minutes of the preceeding Council were read, & then The several Petitions for the respective Roads as laid out by Robert Jones, &c. and Thomas Morgan, &c., a Petition from the Congregation of Baptists and several other Representations were all read, & considered by the Board. And the two several Draughts returned by Robert Jones &c. and Thomas Morgan &c., were examined by the Board, and then the Council adjourned till 4 o'clock in the afternoon and accordingly

P. M. PRESENT:

The Honble Sir WILLIAM KEITH, Bart,, Governour.

Samuel Preston,	Anthony Palmer,	} Esq'rs.
Robert Assheton,	William Fishbourn,	
Josiah Rolfe,		

The particular Arguments and Reasons of both Parties conterding

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for the respective Roads from Whitland in Chester County to the Swedes Ford over Schuylkill were heard by the Board, and the Parties being withdrawn, the Board resolved to defer the Determination thereof untill the Surveyor should be examined thereupon, and that He be Summoned to attend this Board on Tuesday the 5th day of May next till which time the Board adjourns.

At a Council held at Philada. 5th May, 1724.

PRESENT :

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Robert Assheton,	} Esq'rs.
William Fishbourn,	Josiah Rolfe,	

The Minutes of the preceeding Council were read as usual and David Lewellyn the Surveyor (that laid out both the Roads from Whitland, in Chester County to the Swedes Ford over Schuylkill) attending according to order, was called in & Examined. And the Board after mature Consideration of all the circumstances relating to the said Roads, finding the Southernmost Road to be the most convenient for the publick, especially, necessary, for the Congregation of Baptists, and of least Detriment to private Persons

Ordered That the said Road according to the Returns thereof under the Hands of Thomas Morgan, Evan Hughes, John Davis, Hugh Hughes, Morris Lewelyn, William Havard, William Davies, Caleb Evans, & Evan Evans be with all convenient speed opened, Cleared, & made Good, and that the same be and is Hereby accordingly Confirmed.

Then the Governour laid before the Board, & caused to be read, an original Agreement between the Right Honble Charles Lord Baltimore Proprietor of Maryland & Hannah Penn Widow & Executrix of William Penn Esqr. late Proprietor of Pensilva. and Joshua Gee & Henry Gouldney of London in behalf of themselves and the rest of the Mortgages of the Province of Pensilvania, the Copy whereof follows, viz :

Whereas There are Disputes depending between the respective Proprietors of the Provinces of Maryland and Pensilvania touching the Limits or Boundarys of the said Provinces, where they are contiguous to each other. And whereas both Parties are at this time sincerely inclined to Enter into a Treaty in order to take such methods as may be advisable for the final determining the said Controvery, by agreeing upon such Lines or other marks of distinction to be settled as may remain for a perpetual Boundary between the two Provinces.

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IT IS THEREFORE mutually agreed between the Right Honble Charles Lord Baltemore Proprietor & Governour of Marryland and Hannah Penn Widow & Executrix of William Penn Esqr. late Proprietor & Governour of Pensilvania and Joshua Gee of London Merchant and Henry Gouldney of London Linnen Draper in behalf of themselves and the rest of the Mortgagees of the Province of Pensilvania That for avoiding of all manner of Contentions, or Differences between the Inhabitants of the said Provinces no Person or Persons shall be disturbed or molested in their Possessions on either side, nor any Lands be Surveyed, taken up, or Granted in either of the said Provinces near the Boundaries which have been Claimed or Pretended to on either Side.

THIS AGREEMENT to Continue for the Space of eighteen Months from the Date hereof, in which time 'tis hoped the Boundaries will be determined and Settled, And it is mutually agreed on by the said Parties, That Proclamations be Issued out in the said Provinces signifying this Agreement for the better Quieting of the People. And the Lieutenant Governours and other proper Officers of the respective Provinces for the time being are directed & enjoyn'd to Conform themselves agreeable Hereunto, and to issue out Proclamations accordingly upon the Receipt hereof.

IN WITNESS whereof the Parties above named have hereunto Set their Hands this 17th day of February, 1723.

(Sign'd) BALTEMORE.
Witness—S. Clement, HANNAH PENN,
Cha. Lowe, JOSHUA GEE,
James Logan, HENRY GOULDNEY.

Then the Governour read a Letter to the Board, which he purposed to send to the Governour of Maryland relating to the above agreement, which was unanimously assented to, and the Copy whereof follows:

PHILADA., May 5th, 1724.

SIR:

Inclosed I send you the Copy of an Original Agreement concerning the disputed Boundaries of the Provinces of Maryland and Pensilvania, which is just come to my Hands, & since doubtless this will have an immediate good Effect by Quieting his Majesties Subjects on both sides in the peaceable enjoyment of their present Settlements. I am perswaded that on our Parts, We shall with Equal Chearfullness be diligent to lose no time in issuing the Proclamations thereby directed, as well as strictly observing the Conditions in the sd. Articles stipulated and agreed upon between our respective Principles.

I am with Esteem, Sir,

Your most obedt. humble Servant,

W. KEITH.

Then it was agreed by the Board, that, pursuant to the foresd. Direction, Proclamations should be prepared in order to be issued accordingly with all convenient Speed.

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Then the Governr. observed to the Board that since the Death of Thomas Masters Esqr. late a member of Council it would be requisite to call another from amongst the People called Quakers in order to preserve that Equality which he had always regarded in the Call of Councellors, and named Francis Rawle, Esqr., as a proper Person, whereof the Board unanimously approved.

A Petition having been presented to the Governour against Thomas Watson of Bucks County Gent., for some illegal Practices under Colour of Justice and lawful Authority.

It is the opinion of the Board that the sd. Thomas Watson should have Notice given him to make his appearance in order to clear himself of the allegations in the sd. Petition set forth if he thinks fit.

The Governour then proposed to the Board that in Regard John Ramsay for the most part did perform the Duty of Chamber Keeper to the Council, it were but reasonable He should Enjoy the Profits of the said office, whereof the Board approved ; & accordingly

Ordered That John Ramsay do from henceforth perform the Duty of Chamber Keeper to the Council, and that He be entituled to all the Profits & Perquisites from this time accruing or appertaining to the sd. office during his continuance therein.

At a Council held at Philada., 6th May, 1724.

PRESENT :

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Robert Assheton, Josiah Rolfe, Anthony Palmer, Willm. Fishbourn, } Esq'rs.

The minutes of the preceeding Council being read A Bill from the House of Representatives Entituled An act to enable Trustees to Sell the Old Court House & Prison belonging to the Burrough & County of Chester, was read, & ordered to be returned without amendment.

A Bill, Entituled, An act for demolishing & removing Fishing Dams, Wears & Kedles set across the River Schuylkill, was read, and ordered to be returned with amendments.

Also, a Bill, entituled, An Act for continuing and establishing a Ferry over Neshameny Creek on the Kings High Road from Philada. to Bristol in the County of Bucks, which, with some amendments was likewise ordered to be returned.

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At a Council held at Philada., 7th May, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Samuel Preston,	Esq'rs.
Anthony Palmer,	Robert Assheton,	
William Fishbourn,	Josiah Rolfe,	

The Governour informed the Board that He had last night received, by the way of New York a Letter from Mrs. Penn with another Original Duplicate of the Agreement betwixt Her & my Lord Baltemore relating to the Boundaries of the two Provinces of Pensilvania & Maryland, and directing Proclamations to be issued according to the Tenor of the said Agreement. He also observed to the Board, that seeing He had now two Originals of the sd. Agreement it would be proper that he should write anew to Colo. Calvert, Governour of Maryland, and at the same time send him an Original for the more certain satisfaction of that Government.

The Governour then ordered to be read an Address from the Assembly of the 2d instant, to him, complaining and desiring Redress of Grievances & Encroachments of New Castle County upon that of Chester, as also his Answer thereunto of the 5th instant, and then for their better Information, He acquainted the Board (as far as consisted with his own knowledge,) of a Dispute lately arisen concerning the Boundaries of Chester and New Castle Counties, and a Process which he had issued agst. one Thomas Hill and his Accomplices, for some illegal and unwarrantable Acts: And that he was expecting a Committee of the Assembly to attend and lay before the Board what they had relating thereto.

Then the Governour informed the Board that a Bill from the House of Representatives, entituled An Act for the better enabling certain Persons therein mentd. to Trade &c. in this Province, had brought to him, but that He had returned the same to the House without laying it before the Board, and also had sent them a written Message, together with an Original Instruction from the Crown relating to private Bills, wherewith the said Bill is incompatible, as it now stands.

Then was read a Bill from the House of Representatives entituled An Act to improve the Breed of Horses & regulate Rangers, and ordered to be returned with amendments.

The Governour then sent to inform the House of Representatives, that the Council was sitting and ready to receive what the House had to lay before the Board; And soon after, the Speaker with Six other members came up, and after some reasoning between the Governour and Speaker upon the Subject matter of the Division Line between the Counties of Chester & New Castle as also of some Differences that had happened on the late Administration of an Intestates Estate, issued from the office of New Castle, near to the said Boundaries in

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Dispute; The Speaker and the other members of the House of Representatives withdrew, and in order to Compose the Heats & Animosities that were like to arise on several matters in Question, It was unanimously the Opinion and Advice of the Board to the Governour, That he would please to issue out proper Authorities for taking the Administration of the said Estate universally into his own hands, for the equal satisfaction of the Creditors & all parties concerned, to which the Governour agreed, and appointed Mr. Assheton a member at the Board & Recorder of the City to make out proper Instruments for the Governour to Sign & cause to be executed accordingly.

At a Council held at Philada., 9th May, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston,
Robert Assheton, William Fishbourn, } Esq'rs.
Josiah Rolfe,

The Minutes of the preceding Council read as usual, Then a Representation of the Case of the People called Quakers with respect to the Forms of Declaration of Fidelity, Affirmation, &c., (praying that a Bill now under Consideration of the Board, prescribing new Forms of Declaration, Solemn Affirmation, &c., might by the Govenour be Pass'd into a Law of this Province,) was read. Then the Bill, entituled An Act prescribing the Forms of Declaration of Fidelity, Abjuration & Affirmation, instead of the Forms heretofore required in such Cases.

Also was read an Address from the House of Representatives requesting the Governour to Pass the sd. Bill, Likewise his Answer thereto, wherein he express'd his willingness to Pass the same, seeing it contained a Clause to wait his Majesties Approbation before it should take effect.

And it is the unanimous opinion of the Board, that the Governour may safely Pass the said Bill as it is now offerred.

EODEM DIE P. M.

PRESENT:

The Governour and same members as in the Forenoon.

The Council being sat. The House of Representatives with their Speaker came up and presented to the Governour the engross'd Bill entituled An Act prescribing the Forms of Declarations of Fidelity, Abjuration & Affirmation, instead of the Forms heretofore required

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in such Cases. Which the Governour Pass'd into a Law of this Province.

Also a Bill, entituled An Act for continuing & establishing a Ferry over Neshameny Creek on the Kings high Road from Philada. to Bristol in the County of Bucks.

A Bill, entituled An Act to enable Trustees to sell the old Court House & Prison belonging to the Burrough & County of Chester.

A Bill entituled An Act to improve the Breed of Horses & regulate Rangers.

And a Bill entituled An Act for the better enabling of John Cratho, mercht., Caspar Wistar & Nicholas Gateau, to Trade and to buy and hold Lands in this Province.

All which were by the Governour Pass'd into Laws of this Province. Then the House of Assembly being withdrawn, the Council adjourned.

At a Council held at Philada., May 14th, 1724.

PRESENT :

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Samuel Preston,
Robert Assheton, Colo. John French, } Esq'rs.
Josiah Rolfe,

The Governour acquainted the Board that He had called the Council together at this time, (now that Colo. French a Magistrate of New Castle County & a member of this Board was in Town,) in order to appoint a time for giving the Magistrates of N. Castle County an opportunity to object to the Bounds of the sd. County as they are Limited by the Return of a Warrant under the late Mr. Penn the Proprietary's Hand, if any thing they had to object thereunto. And having interrogated Colo. French what he knew concerning the Magistrates of New Castle their opinions of the Bounds limited by the said Return ; He informed the Board that he well knew that the Magistrates and others Inhabitants of N. Castle County, would offer some very material objections to the said Return & the Bounds thereby limited. And after some reasoning upon what was fit to be done in this Affair.

Resolved That Colo. French should inform the Magistrates and those concerned in N. Castle County, to prepare with all convenient Speed what objections they had to the said Limits as ascertained by the said Return and what other Lights or Evidences they might have in order to clear up the mistakes & disputes that had lately arisen betwixt the Counties of Chester & New Castle concerning their Boundaries, so that after a full hearing some certain Determination may be made thereon to the future Quiet & Peace of the Inhabitants of both Countries.

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At a Council held at Philada., May 15th, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Colo. John French,	} Esq'rs.
William Fishbourn,	Josiah Rolfe,	

The Minutes of the preceeding Council being read the Governour acquainted the Board that agreable to the Minutes of Council of the 7th instant He had prepared a Draught of a Proclamation pursuant to the Directions given in the late Agreement between Mrs. Penn & My Lord Baltimore concerning the Boundaries of the two Provinces of Pensilvania & Maryland Which being read & unanimously approved of.

Ordered That the same be transcribed fair for the Seal and published, and that an Hundred Copies thereof be Printed and dispersed through both Govornments, to the end that none may pretend Ignorance thereof.

At a Council held at Philada., Aug. 5th, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	} Esq'rs.
Isaac Norris,	Samuel Preston,	
Robert Assheton,		

The Minutes of the preceeding Council being read as usual, The Governour acquainted the Board that He had called the Council together upon the arrival of the Secretary Mr. Logan to know if he had any thing from the Proprietors Family or other matters to lay before the Board. Mr. Logan said that he had already delivered to the Governour what He had to offer from the Proprietors Family, and that he had nothing else.

The Governour then informed the Board that he had received a a Letter from Mrs. Penn, with a Postcript to it from Joshua Gee & Henry Gouldney, relating to the affairs of the Government of the Province and containing some Instructions, which for certain Reasons, and particularly for that He believed that they were obtained by some misrepresentations in England, and that he thought it not for the Interest and Service of the Proprietors Family to make publick. Yet if the Board thought it necessary, He then had the Letter in his Hand, and would lay it before them, and thereupon asked their opinions.

The members present all spoke in their Turns. But the Governour observing to them frequently himself, that the Missive Letter he

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had received being addressed to himself, & containing only some particular Directions for his conduct, which, out of Regard to the Proprietors Family & their Interest, he declared he could not follow, untill according to his Duty he had humbly represented to that Honble Family the just Grounds on which this his opinion was founded.

Thereupon the members were of opinion, that there was nothing herein beforementioned regularly before them from the Proprietors Family. Mr. Logan observed, upon the Governours mentioning that the Letter was delivered to him in a private manner, that he had endeavoured to proceed in this affair with Prudence, and that he should not speak further to the matter at this time, but he craved that his present Silence should not be accounted as a Bar toPreclude him from performing his Duty in what was expected of him, which he should endeavour to Discharge with all due Regard to the Government & the Governour.

The Governour then informed the Board that Mr. Hamilton had lately resigned his office of Attorney General, and as many inconveniences might arise unless a proper person could be found to act in that office, He therefore recommended to the members to think of a fit Person for it; meanwhile, it is the opinion of the Board, that the several Clerks of the Peace should be directed by the Governour to carry on Processes in the King's name, and all other publick proceedings according to Law within their respective Counties untill a fit & capable Person (who will accept thereof) is found, to be Attorney General.

At a Council held at Philada., Octr. 3d, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	Esq'rs.
Isaac Norris,	Anthony Palmer,	
Robert Assheton,	Henry Brooke,	

The Governour acquainted the Board, that He had called the Council at this time to have their Advice & opinions concerning some goods supposed to be Wreck, imported from Cape May in a Sloop called the Two Brothers, commanded by Jonathan Swain, and for which goods Salvage is claimed by certain Mariners who came passengers in said sloop, the said goods at this time being under the Collectors Seizure, on suspicion of dishonest practices of the said Master or Mariners claiming Salvage.

The Affidavit of the said Mariners, narrating the manner how they came by the said goods, was read & considered, as also a state of the case drawn up and offered by the Collector; Whereupon, it was

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unanimously the opinion of the Board, that in this Case the Governour, with the Assent & Concurrence of the Officer of the Port, may not only make a proper & strict Enquiry of the Marks, Numbers & value of the Goods so suppos'd to be Wreck'd and imported; but also that for failure of any owner or Claimant, may likewise direct the said Goods into the Hands of responsible Persons, to be disposed of or kept for the Benefit of the right owners if any such shall hereafter appear, according to the true Intent and Meaning of the Statute, 12 Anne.

And accordingly the Governour, with the concurrence of the Collector (then present) and with advice of the Council, has Ordered that the said Goods shall be put into the Hands of James Logan & Thomas Lawrence, Esqrs., to be executed by Warrant, directed to the High Sheriff of the City & County of Philada. for that purpose.

At a Council Held at Philada., Octr., 10th, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	} Esq'rs.
Robert Assheton,	Henry Brooke,	
Wm. Fishbourn,		

The Sheriff of the City & County of Philada. having executed the Governours Warrant to him directed, for collecting and putting into the Hands of James Logan & Thomas Lawrence, Esqrs., certain Goods saved from the Wrecks of the Jenny Pink of London, and the Ship Minehead of Bristol, and having made Return thereof the same was read; Whereby it appears, that all the Goods which he could come at were, viz: Eighty six hundred two Quarters & one pound Sugar net, Nine hundred one Quarter & twenty five Pounds Cotton in Bags, Two Casks & five Bags Ginger, qt. twenty four Hundred & three pounds, Three Anchors, wt. in all twenty two Hundred three Quarters & twenty one pounds, one Hogsd. Rum, qt. Ninety Gallons, and one Cable, wt. twenty Hundred two Quarters and four pounds. And that there are, viz: one Cable, one Tierce of Rum, one Bag of Cotton, Two Mainsails, & one Graplin, (being the residue of the Goods saved out of the foresaid Vessels & here imported) in the Hands of sundry persons in the City of Philada., who pretend to have brought and refuse to deliver the same.

The Mariners who imported the above mentd. Goods having exhibited Accounts of their Demands of Wages, Charges, Diet, &c., unto the said James Logan & Thomas Lawrence, amounting to £121, 12, 8, Sterling in the whole, and the same being by them offered to the Consideration of the Board, IT IS ORDERED, that the said Accots. and Demands of the Mariners be referred to some persons of

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this City of Credit and Reputation, Skilled in maritine and mercantile affairs, to consider the same, who may indifferently between the owners of the Goods and the Sailors settle and adjust what to them shall, upon a full enquiry, appear to be reasonably due to the Demandants, And George M'Call, Benjamin Godeffrey, George Fitzwater, William Attwood and Brinoldus De Haes, are accordingly appointed & authorized to examine and adjust the said accots., and are desired to Report the same to this Board under their Hands or the Hands of any three of them, on Thursday the 15th instant, at 10 o'Clock in the Morning.

And it having been observed & considered by the Board, That there is not only a necessity of selling some part of the Goods, to make payment to the Mariners of such Sums as shall upon the above mentioned Report be found to be justly due, and defray to other necessary Charges; but also that the Season of the year now is, when Goods which are a proper Return for England will probably sell for the best Price, and thereby prove to the greater advantage of the right owners, and likewise that in general the aforementioned Goods are in some measure perishable. It is therefore thought to be necessary, & accordingly it is ORDERED, That the said James Logan & Thomas Lawrence, shall & may sell forthwith all or so much of the forementioned Goods, as to their Discretion & skill in Merchandize shall seem expedient for the greater advantage and satisfaction of the rightfull Owners when they shall appear.

And the said James Logan & Thomas Lawrence, are further directed by this Board to use all proper and legal means for securing & recovering the forementioned Residue of the said Goods, or the Value thereof, out of the Hands of the several persons detaining or refusing to deliver the same for the purposes aforesaid, and to make Report to this Board of their proceedings herein.

At a Council held at Philada., Octr., 15th, 1724.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	Esq'rs.
Robert Assheton,	Henry Brooke,	
William Fishbourn,		

The Minutes of the preceeding Council being read, the Report of the Auditors of the Accots. & Demands of the Mariners who imported certain Goods saved from the Wrecks of the Jenny Pink of London, and Minehead of Bristol, being called for was also read, and it appearing to the Board that due Care had been taken by the said Auditors in examining & adjusting the same, & that thereby there is found due to the said Mariners in all, the sum of One hundred & forty seven pounds eight Shillings & 3½d. Proclamation Money.

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Ordered, That James Logan & Thomas Lawrence, the Trustees for the Owners of the foresaid Goods, do satisfy the Claims of the several Mariners according to the said Report, every of the said Mariners first proving by Oath made before the Mayor or Recorder of this City, that they were Shipt at the time & for the Wages mentioned in their Accots. mentioned to the said Auditors, and also clearing themselves by Oath from having embezled any of the Goods saved from the said Ships. and from being interested in any other Goods so saved than what they here imported, And also declaring upon Oath that they received no part of their Wages in Jamaica or elsewhere.

A Petition from Jonathan Swain, Master of the Sloop Two Brothers, was read at the Board, representing that his said Sloop was unjustly under Seizure of the Collector of the Port of Philada., and praying the Board to interpose for his Relief; as also that he may be allowed his Freight for the forement'd Wreck Goods, amounting to thirty Six pounds. The substance of which Petition being considered, It is the opinion of the Board, that so far as it relates to the Seizure it doth not regularly lye before this Board, but the Members present do request the Governour that he would be pleased to interpose so far therein as to remove any just cause of Complaint on the part of the said Swain on that accot., And for the Freight he is referred to James Logan and Thomas Lawrence, to be by them satisfied for the same as far as they shall think justly to be his Due.

Then the Governour ordered to be read a Petition from John Mitchel in behalf of his Wife Ann, who now lyes in the Goal of Philada. under Sentence of Death for Burglary, (but reprieved) representing that his said Wife is big with Child, and praying that for the preservation of the Infant she may be released out of Prison, on Condition that she shall never return into this City during the Petitioners Life. The Board having considered that the said Ann Mitchel is a proper object of Mercy, do recommend her as such to the Governour for a Pardon.

At a Council held at Philada., Febry 10th, 1724–5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, James Logan, } Esq'rs.
Colo. John French, William Fishbourn, }

The Governour acquainted the Board that he had received two Bills from the House of Representatives, which according to his constant Custom he meant to have revised & considered by the Board. The first, entituled An Act to prevent the Exportation of Bread & Flour not merchantable, was read, and the Governour proposed some Amendments to it, whereof the Board approved.

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Then was read the other Bill, entituled An Act to enable Jeremiah Langhorne, William Biles, Joseph Kirkbride. junr., Thomas Watson Practitioner in Physick, and Abraham Chapman, to build a new Court House & Prison in the County of Bucks.

The Governour declared his own Sentiments thereof to be. that the Bill in itself was needless and even unreasonable, seeing it would lay a Hardship upon the Inhabitants of the Burrough of Bristol and other parts of Bucks County, but as the House of Representatives seemed strenuously to insist upon it, and that no Petition or Representation from that County appeared against it. He thought it not of so much consequence to the Publick as to engage him in a Dispute with the House thereupon, to the Delay of other publick business; Nevertheless, he proposed to offer an Objection to the Bill in general.

Then a Petition from John Cathcart to the Govr. was read, setting forth and praying Relief against some Difficulties he lies under through the Collectors, refusing to grant him legal Permits for the Exportation of certain Goods condemned to be forfeited in this Port, and by him purchased from the Sheriff at publick Sale. The Governour having read to the Board some Clauses of a late Act of Parliament and of his Instructions from his Majesty relating to these matters, and after it was argued & fully spoke to by every Member present, The Board were of opinion, that the said John Cathcart had a Right to obtain from the Collector proper Certificates, declaring the manner how he came to be the Proprietor and lawfull owner of the Goods which by Order of Law were sold to him by the Sheriff at publick Sale, and to export the same, with such Clearances as by the practice of the Customs in England, and in the other Colonies, are usually granted in the like cases where Goods have been legally Condemned and sold for the Kings use.

Then a Petition from divers Palatines was read, praying that the Govr. & Council would recommend them to the favourable usage of the Proprietors Agents, and that they might be allowed to purchase Lands in this Province, &c. The Petition is referr'd to Mr. Logan, and the rest of the Proprietors Agents to consider thereof, and to Report their opinions to the Board concerning the same.

At a Council held at Philada., March 9th, 1724–5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	Esq'rs.
Isaac Norris,	Samuel Preston,	
Anthony Palmer,	Robert Assheton.	
William Fishbourn,		

The Minutes of the preceeding Council were read, and some sma amendments made thereto.

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Then Mr. Logan stood up, having a printed Paper in his Hand, and complained that in that Paper he found himself very much injured in his Character, and saying that if the Charge therein were proved against him He should be unworthy to sit any more at that Board, and was about to read it. But the Governour interrupted him, giving the Board to know that there was publick Business of the Province before them which being of much greater consequence ought first to be discuss'd. Mr. Logan insisted that then was a proper time to justify himself. To which the Govr. said, seeing Mr. Logan was so earnest upon it he should not want an opportunity, and that soon to vindicate himself if he could, but that the publick Business ought not to be postponed, therefore Mr. Logan then required that it might be to morrow morning, at which the Governour declared that he was very well prepared to enter upon that Debate, but had other Business in the morning; Another Member then proposed Friday morning being the 12th instant, which time is agreed to, and then Mr. Logan without any farther saying withdrew from the Council.

Then was read a Bill from the House of Representatives, entituled An Act to regulate the practice upon Writs of Summons and Arrests. Amendments proposed were:

That the Writ of Summons therein mentioned should be in the Kings Stile as other Writs, and That filing the Declaration by the day of the Return shall be sufficient.

Then was read another Bill from the House, entituled An act for the better securing the City of Philadelphia from the Danger of Gunpowder. As also, a Petition of sundry Inhabitants of the said City, setting forth that the place appointed by the sd. Bill for erecting a Powder House was dangerous to the City in General, and of great detriment to the Petitioners in particular.

It is recommended to Richard Hill, Isaac Norris, Robert Assheton, & William Fishbourn, Esqrs., or any two of them, to view the place intended for the erection of the Powder House, and Report their opinions of the Propriety thereof to the next Council.

And another Bill, entituled An act for raising of County Rates & Levies, is also recommended to the perusal of the same Members till the next meeting of Council.

Then the Council was adjourned till Friday, at 10 o'Clock.

At a Council held at Philada, March 12th, 1724-5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	} Esq'rs.
Isaac Norris,	Samuel Preston,	
Anthony Palmer,	Robert Assheton.	
William Fishbourn,		

The Minutes of the preceeding Council were read & approved,

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and then Mr. Logan observing, that in the Governours Letter to Mrs. Penn, lately printed in the Journal of the House of Representatives. He was charged with having added unto or falsified some part of the minutes of this Board. He declared himself to be innocent of the Fact, and therefore desired that the Governr. would be pleased to acquaint the Board with the particulars on which the said Charge was founded.

Hereupon the Govr. said, that he was glad of this opportunity to lay before the Board a Paper originally in Mr. Logans hand writing, which some Months after the Date he had very accidentally found to be conveyed amongst the rough Draughts of the Minutes of Council, in order to be engross'd by the Deputy Clerk, as a part of the Minute of April 16th, 1722. That the said Paper or intended minute had not only as yet never been seen at the Board, but also not one of the members then present and principally concerned therein had been at the time advised with upon or acquainted therewith, neither had Mr. Logan untill now ever attempted to support the Truth or Credit of the said paper at this Board, notwithstanding he had been called upon by a written Message from the Governour, October the 17th of that year, and more particularly by the Copy of a Paper sent to him by Colo. French, as the substance of what the Governour intended to enter as his Remarks on Mr. Logans said Paper, in case it should ever be approved of as a minute of this Board.

The several Papers were read, and Mr. Logan in his Defence said, That he was at that time principal Secretary and Clerk of the Council, and then acted by his Deputy, George Barclay, who was also Clerk to the Governour. That at the request of the sd. Barclay, who frequently desired of him the like assistance, he had drawn up the sd. Minute in the same manner and with the same care he usually did others, and within a day or two after, to the best of his memory, he delivered it to his said Deputy, and that he had never seen it from that time till about six months after, when the Govr. sent it to him with an exception to it, that if it had not been read at the Board as it ought to have been, He conceived it was through a general neglect of the same kind, especially that year in which scarce any former minutes had been there read; But that he was very positive every thing therein contained was said at the Board at that time, and appealed to the memories of four of the members now present who were also at that Council, who agreed that the substance of what the said Paper contains was said that day at the Board, but did conceive, that had the Minute been then or soon after read and considered, every member there would have readily agreed to any alteration in the expression that might under the Entry on the Minutes to general Satisfaction.

The Governour seemed chiefly to insist upon the manner of expression as indecent towards him, and consequently dishonourable for that Board to make use of, and then observing that the Minutes from that day had not been duly revised, was pleased to propose that

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the Council would appoint a time to revise and settle them that they might be engrossed, and that they would now consider what should be ordered concerning the Minute in Debate.

Then some Debates ensuing between the Governour and Mr. Logan, the further consideration was referred untill to morrow morning at 10 o'clock, to which time the Council was adjourned.

At a Council held at Philada., March 13th, 1724–5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill, Isaac Norris,
Saml. Preston, Robert Assheton, } Esq'rs.
Wm. Fishbourn,

The Minutes of the preceeding Council were read, but the Governour observing that Mr. Logan was not then present, proposed to delay the approbation thereof till the next meeting of Council.

The members to whose consideration was referred the Bill for regulating the Practice upon Writs of Summons & Arrests Reported that they had examined the same, and the Board proposed some amendments thereto.

The same members to whom it was recommended to view the place proposed in a Bill for building a Powder House, Reported that they found the Inhabitants at the end of the City very uneasy about it, and there being two Petitions against the Bill read at the Board, and some other inconveniencies observed, The Govr. proposed to Return it with the Petitions to the House for their further consideration. Then was read & considered, paragraph by paragraph, a Bill for raising of County Rates & Levies, and several amendments proposed thereto.

Martha Hunt, (some years ago condemned to Imprisonment for Life and now a Prisoner in Philada. Goal) having obtained a Recommendation from the Chief Justice and several of the magistrates of Philada. as an object of the Govrs. Mercy, the same was read, and the Board being of the same opinion, viz: That the said Martha Hunt is a proper object of Mercy.

Ordered, That the Clerk make out a proper Pardon for the Governour to sign in favor of the said Prisoner, &c.

A Bill for regulating & establishing ffees in this Province was referred to the perusal of Mr. Hill and Mr. Fishbourn, and to Report their opinions thereof to the next Council. Then the Council was adjourned till Munday the 15th instant, at 10 o'clock.

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At a Council held at Philada., March 15th, 1724-5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	James Logan,	}
Isaac Norris,	Saml. Preston,	} Esq'rs.
Antho. Palmer,	Robt. Assheton,	}
Wm. Fishbourn.		

The Consideration of the Minute of 16th April, 1722, being reassumed, It is the opinion of the Board, That altho' it did appear unto them that Mr. Logan had not any intention in his Draught of that days minute, to add unto or falsify any part of the genuine Sense of the Board at that time; Yet as the Governour has expressed a dissatisfaction with all the latter part of the said Minute as reflecting upon him in language arising (as 'tis supposed) from the warmths of the Debate, but is of no real service to be put upon the Record.

Therefore, that all that part of the sd. minute from the words [justify him in it] may be left unrecorded, excepting the following words for a Close of the Minute, viz: [however as the matter seemed to them to relate to an affair of Property, they conceived it lay not properly before the Board to take any Cognizance of the matter,] and that all the part preceeding the said Sentence shall stand as in Mr. Logans Copy; Unto which unanimous opinion of the members present the Governour assented, and the Clerk was ordered to Engross the same upon the Records of Council accordingly.

Then was read the Bill for regulating & establishing ffees, &c., and the Council being unanimously against the Bill as it is now offered. The Governour proposed to send the following Escript by way of amendment to the House of Representatives, viz: "It does not appear "to the Governour that there has been any complaint made against "any of the Officers for having taken exorbitant ffees; and therefore "since the Govr. at the Request of the House of Representatives, "even contrary to his own Sentiments at the time, did about two years "ago Pass a Bill of the same kind, whereby the ffees of the several "Offices seemed to be reduced to the very lowest proportion, he cannot "think it will be decent to trouble the Crown with another Act of the "same nature untill we first know the fate of the last. Besides, this "Bill containing many things which are inconsistent with the Laws & "Constitution of Great Brittain, The Governor cannot Pass it in the "Terms it is now conceived, and therefore proposes that it may be "delayed until the next meeting of the Assembly."

Which being approved, the same was sent accordingly.

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At a Council held at Philada., March 18th, 1724–5.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Isaac Norris,	Antho. Palmer,	} Esq'rs.
Robert Assheton,	Wm. Fishbourn,	

The Minutes of some preceeding Councils were read, but their approbation deferr'd till a fuller Board.

The amendments proposed by the Governour in Council to several Bills from the House of Representatives being returned, together with the Houses Resolutions thereupon, the same were read, and some further amendments proposed to the Bill for raising County Rates & Levies, to be sent together with the Bills to the House of Representatives.

Came in Richard Hill, Esqr.

The amendments being proposed and read at the Board, the Governour sent them to the House accordingly.

At a Council held at Philada., May 7th, 1725.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Samuel Preston,	} Esq'rs.
Antho. Palmer,	Robert Assheton,	
Wm. Fishbourn,		

The Minutes of Council of March 12, 13, 15 & 18th last past were read & approved, & ordered to be engrossed.

Came in Isaac Norris, Esqr.

Then a Representation of the Commissioners of the County of Philada., relating to Frankford Bridge and the high Road passing that way, was read & Considered.

It is recommended to Richard Hill & Isaac Norris, members of the Board, to enquire whether the present high Road through Frankford to Burlington be a confirmed Road; and if it be found not to be so. Ordered, That Anthony Palmer & Francis Rawle, Esqrs., Job Goodson, Thomas Chalkley, Edward Brooke & Benja. Fairman, do view the said Road as far as the Division between the Counties of Philada. & Bucks, and make Return thereof, with such alterations as they shall find to be of least damage to the neighborhood and greatest advantage in general, unto this Board as soon as conveniently they can.

Then was read a List of Persons names proposed by the Governour to be commissionated Justices of the Peace, He finding it proper to issue new Commissions because of the Death & absence of sundry Gentlemen in the last Commissions, to which List some additions were proposed & agreed to.

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Ezekiel Harlin having made application for five Pounds to be paid him, as a Reward for his Service as an Interpreter of the Indian Tongues some time ago at Indian Councils, the said Demand by the Board is allowed to be just, and it is recommended to the Treasurer to obtain the Assembly's order for its being paid out of the Provincial Treasury.

At a Council held at Philada., Febry. 24th, 1725-6.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Robert Assheton, } Esq'rs.
William Fishbourn, }

The Governour observed to the members present, that as there was great difficulty in getting a sufficient number together to assist in Council, some members not attending, some living at great distance whose assistance could seldom be had, and others being dead whose places were not yet supplied, it was absolutely necessary to call some new members to the Council Board, and nominated Doctr. Thomas Græme for one, of whom the members present unanimously approved. The Governour then desired Mr. Preston & Mr. Fishbourn to name some person amongst their Friends fit to be called, and Evan Owen, Esqr. was named and approved.

ORDERED, That the Clerk wait upon the said Doctr. Thomas Græme & Evan Owen, Esqrs., and signify to them the Governours Call of them to the Council Board, and desire their attendance to morrow at 3 o'clock, in order to their Qualification & Admission.

The Governour then said, that altho' there was not the usual Number present which makes a Quorum, yet seeing it was what he could not help, there was a necessity of proceeding to Business with those that did attend, & accordingly, A Bill from the House of Representatives entituled An act for the better regulating the Retailers of Liquors near the Iron Works & Elsewhere, was read & considered.

Then a Bill entituled, An act for laying a Duty upon Negroes imported into this Province, was read & considered.

Then another Bill entituled, An act for the better regulating of Negroes in this Province was considered, & with the other two Bills referr'd to the further consideration of the members present, or any two of them, and to Report their opinions concerning the same at the next meeting of Council.

Then was read a Petition of a number of the merchants of Philada. against laying of any Duty on Rum under prooff imported into this Province, which is referr'd to further consideration when the Bill to which it relates comes up.

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At a Council held at Philada., ffebry, 25th, 1725–6.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Robert Assheton, } Esq'rs.
Wm. Fishbourn,

The minutes of yesterday were read & approved, and the Clerk, according to the order of yesterday, having waited upon Thomas Græme & Evan Owen, Esqrs., and made known the Governours Call of them to the Board, the former attending, and having taken and subscribed the usual Qualifications, took his place at the Board accordingly.

The Governr. acquainted the Board that Mr. Owen had been with him desiring to be excused from Qualifying as a Councellor for some days, he being then upon the Assembly, to which the Governour had acquiesced.

Then again were read & considered the Bills for the better regulating of Negroes, and for the better regulating the Retailers of Liquors near the Iron Works, &c., and divers amendments proposed and agreed to by the Board, which are ordered to be transcribed fair by the Clerk to be returned with the Bills to the House of Representatives to morrow morning.

The Bill for laying a Duty on Negroes imported, &c., and another Bill for the better enabling Arent Hassert, Ulrick Hageman, and others therein named, to Trade & hold Lands, &c. in this Province, were read & considered, and with some small amendments returned to the House. As was likewise, a Bill entituled An act for re-emitting and continuing the Currency of such Bills of Credit of this Province, as by former Acts are directed to be sunk & destroyed, and for the striking & making current 10,000 Pounds in new Bills to supply those that are torn and defaced.

At a Council held at Philada., ffeb. 26th, 1725–6.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Robert Assheton, } Esq'rs.
Wm. Fishbourn, Thomas Græme,

The Minutes of the preceeding Council were read & approved, Then was read a Bill from the House of Representatives, entituled An act to encourage the distilling of Spirits from Melassoes, Corn & ffruit, in this Province, which being duly considered, it is the unanimous opinion of the Board that this Bill, if passed into a Law, would in no wise prove beneficial to the Country, wherefore the members requested the Governour to make a general objection to the Bill, which he did accordingly, as follows:

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The Governour & Council having deliberately considered this Bill, as also the Petitions of the most considerable Inhabitants & Traders of this City against it.

They are unanimously of opinion that some Clauses therein would very much aggrieve and burthen the fair Trader, and would only serve to enrich a very few particulars at the public Expence. They conceive that the Bounty of one penny pr. Gallon on Melasses, and the 4th rebate of Excise to Retailers, with the additional Charge of Officers ffees would wholly eat up & destroy the Revenue of Excise which the Governour & Council esteems to be a necessary Revenue, in order to sink such sums as are annually applied to the support of Government and other incident Expences.

Moreover, they are apprehensive that such a Bill would probably Encourage or give a Handle to the adulteration, not only of our own Spirits but even of Rum imported from the West indies, to the great prejudice of the Health of the Inhabitants as well as the usual course of the Trade of this Province.

Wherefore, the Governour & Council do altogether disapprove of this Bill, but at the same time they are of opinion, that so soon as the art of Distilling in this Province shall be brought to that perfection as to manufacture bona fide, a net wholesome Spirit to pass the strict examination of a proper officer, before it is exported or exposed to Sale, such an improvement will justly deserve the encouragement of a reasonable Bounty out of the public Treasury.

At a Council held at Philada., March 4th, 1725-6.

PRESENT;

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston,	Robert Assheton,	} Esq'rs.
Willm. Fishbourn,	Thomas Græme,	

The minutes of the preceeding Council being read & approved, The Governour acquainted the Board, that to save time & the trouble of a Conference with the Assembly, upon an Amendment proposed to the Bill for Re-emitting & continuing the Currency, &c., he had sent the Reasons in Writing observed before at the Council Board to support the amendment of the aforesd. Bill, which were approved & are as follows, viz:

The Kings being invested with a power to mitigate the just severity of the Law in Cases where the party appears to be a true object of Mercy, is one of the most valuable Benefits or priviledges of the Subject, and is by the Common Law of England an essential part of the Constitution.

The King, in the Royal Charter to the Proprietor of this Province as well as in all the others of the like nature extant, does expressly

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restrain the Legislature of the Colony thereby erected & constituted, from presuming to Enact any thing into a Law which evidently appears to be derogatory to his Royal Prerogative or inconsistent with the Common & Statute Laws of England.

Wherefore, if such a Clause as is proposed in this Bill be ever passed into a Law of this Province, it would not only subject the Governour to a forfeiture of his Bonds for the due observance of his Majesties Royal Instructions; but also, it would unquestionably give just Grounds for his Maties Attorney General to bring a Quo Warranto against the Proprietors Charter, whereby the Proprietors and the Peoples Rights therein contained would be forfeited, and the present Constitution of this Colony dissolved. And these are the Reasons why the Governour, by the unanimous advice of the Council, peremptorily refuses on any Terms whatsoever to admit of the said Clause.

At a Council held at Philada., March 5th, 1725-6.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Samuel Preston, Robert Assheton, } Esqr's.
Wm. Fishbourn. Thomas Græme, }

The Govr. acquainted the Board, that the House of Representatives having considered the objections & Petitions agst. the Bill for encouraging the distilling of Spirits, &c., did not insist upon having it passed as it now stands; Yet, notwithstanding had sent it up, requesting that a proper Bill might be prepared for that purpose, They conceiving that it would tend to the Benefit of the Country; Whereupon, the Govr. referr'd it to the members present to consider of the proper Substance whereof to fform such a Bill, against the next meeting of the Assembly,

Then the House being sent for, attended with their Speaker and the Governour, Passed into Laws the following Bills, viz:

An act for Re-emitting and continuing the Currency, &c.

An act for laying a Duty upon Negroes imported, &c.

An act for the better regulating Negroes, &c.

An act for the better enabling Berhard Van Leer, &c., to Trade & hold Lands in this Province, and

An act for the better regulating Retailers of Liquors near the Iron works & elsewhere.

And the House being withdrawn, the Council was adjourned.

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At a Council held at Philadelphia, June 22, 1726.

PRESENT:

The Honble Sir WILLIAM KEITH, Bart., Governour.

Richard Hill,	Isaac Norris,	Esq'rs.
Anthony Palmer,	Robert Assheton,	
Henry Brooke,	William Fishbourn,	
Thomas Græme,	Evan Owen,	

The Council being met, upon the arrival of Major Patrick Gordon with a Commission from Springett Penn, Esqr., with the Assent of Mrs. Hannah Penn, and His Majesties Royal Approbation thereof, to be Lieutenant & Deputy Governour of the Province of Pensilvania and lower Counties of New Castle, Kent & Sussex upon Delaware, as in the said Approbation Expressed. The Governour, Sir William Keith, ordered two members of this Board to introduce the said Major Patrick Gordon, in order that the sd. Commission and Approbation might be read, which was done accordingly; And Sr. William Keith being well satisfied with the Authority of the sd. Commission declared he had no objection thereunto, and immediately ordered the Keeper of the Great Seal to Affix the same unto the said Commission, in order to its Publication, in pursuance of a Warrant from the Honble Springett Penn, Esqr. for that purpose. The Commission being returned Sealed, the same was forthwith published at the Court House, and the Council Adjourned.

At a Council held at Philadelphia, June 22d, 1726.]

PRESENT:

The Honble PATRICK GORDON, Esqr., Governour.

Richard Hill,	Isaac Norris,	Esq'rs.
James Logan,	Anthony Palmer,	
Robert Assheton,	Henry Brooke.	

His Honour the Governour before entring upon any publick Business, in presence of the above members, took the several Oaths & Qualifications by Law required, viz: The Oaths of Allegiance & Fidelity to his Majesty King George, and of Abjuration of the Pretender; likewise, the Oath directed to be taken by the Act of Parliament of the 7th & 8th of King William the 3d, for the due observation of the Laws relating to the Plantation Trade; as also, an Oath for the faithfull Discharge of his Office. After which, the Governour was pleased to make a Speech to the Board, wherein he amply expressed his Duty to his Majesty & the Honble Proprietors Family, his Regard & Esteem for the members present, & generally his benevolent Inclinations and kind Purposes towards this Colony and all the People under his Government.

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He then proposed the Issuing of a Proclamation for continuing all the present Officers of the Government in the Exercise of their respective Offices and Duties, untill further Consideration should be thereof had, in order to prevent any ffailure of Justice, which was approved, & accordingly,

Ordered, that the Clerk do prepare a proper Proclamation for that Purpose, to be laid before the Board to morrow morning at nine o'clock, to which time the Council adjourned.

At a Council held at Philadelphia, June 24th, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Governour.

Richard Hill, James Logan,
Samuel Preston, Robert Assheton. } Esq'rs.
William Fishbourn,

The Minutes of the preceeding Council being read & approved.

The Clerk, according to order, laid before the Board a Draught of a Proclamation to be issued by the Governour, for continuing all the officers of the Government in the Exercise of their respective offices & Duties, till further Consideration should be thereof had, Which being read & approved the Governour Signed the same, and ordered it to be Sealed and Published forthwith.

Ordered also, that Copies of the sd. Proclamation be sent, as soon as conveniently they may, to the Sheriffs of the Counties of Chester & Bucks, to be by them published in their respective Counties.

The Governour then informed the Board, that he had an express Instruction from the Honble Proprietors Family to restore the Lesser Seal into the Custody of Mr. Logan, as Secretary of the Government, of whose Fidelity & Zeal for their Service they were well assured, and thereupon delivered the same into Mr. Logans hands. But Mr. Logan, after informing the Governour how that upon some Dissention between Sr. William Keith and he, the Seal had been taken and kept out of his Possession, Declared that he now received it no otherwise than as he should have occasion to use it in the regular transaction of the Proprietary affairs, and thereupon redelivered to the Governour.

At a Council held at New Castle, June 28th, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Governour.

Richard Hill, James Logan,
Isaac Norris, Robert Assheton, } Esq'rs.
John French, William Fishbourn.

MEMORANDUM: That His Honr. the Governour, attended by the above Members of Council and a considerable number of Gentlemen

from Philadelphia, being met also upon the Verge of New Castle County by the Magistrates & other public Officers thereof, and divers Gentlemen, Freeholders & Inhabitants of that neighbourhood, yesterday in the Evening entered New Castle, and being attended as aforesaid rode directly up to the Courthouse, where his Commission to Lieutenant Governour of the Province of Pensilvania, & Counties of New Castle, Kent & Sussex upon Delaware, & his Majesties royal Approbation thereof were published.

The Minutes of the preceeding Council being read & approved, The Governour acquainted the Board that some Efforts had been made in England, & still were making to alter the Property of the Counties on Delaware, by My Lord Baltemore on the one hand claiming by virtue of his Maryland Patent, & My Lord Sutherland on the other endeavouring to obtain from his Majesty a Grant of the said Counties, which being a matter that so nearly Concerns not only the Interest of the Honble Proprietor Penns Family, but also That of all the Freeholders & Inhabitants of the sd. Counties, he held it proper with all convenient speed to Call the Assembly thereof in order to acquaint them with those Measures, upon which he craved the Advice of the Board, And it being considered that it is now the Season of Harvest, and will so continue for 2 or 3 Weeks, The Board is of opinion that the 20th of July will be a proper time for calling the Assembly, & accordingly,

Resolved, that the Governour will Issue his Writs, directed to the Sheriff's of the several Counties, Commanding them to Summon the Members of their respective Counties to meet him in Assembly, at New Castle, the 20th day of July next.

Colo. French then informed the Board, that the day before the Governours arrival, a Commission of Oyer & Terminer for the Tryal of Capital offences in these Counties had been issued by Sr. William Keith, on the Petition of a person for a speedy Tryal who was said to have killed his Servant, but that the Justices in the said Commission Assigned had not hitherto been Qualified to act by virtue thereof; However, that another Commission of the same Tenor, unto which the said Justices had been Qualified, was still extant in the County of Sussex; It was thereupon considered by the Board, that the said last mentioned Commission would remain in force by virtue of the Proclamation now to be published, and that the same might continue till further Consideration should be therefore had, and

Ordered, that Copies of the Proclamation, already published in the several Counties of the Province, be also published in each of the Counties of New Castle, Kent & Sussex.

Colo. French then produced the Great Seal of the Governmt. of the Counties, acquainting the Governour that the same was established by a Law of the Country, and had been delivered to him as Keeper thereof by Sir William Keith, without any Commission, and delivered it to the Governour, who having inspected the foresaid Law, restored it to the Keeping of Colo. French, till further Order.

And then the Council adjourned.

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At a Council held at New Castle, July 25th, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Governour.

Richard Hill,	James Logan,	Esq'rs.
Isaac Norris,	Samuel Preston,	
John French,	Henry Brooke.	

The Minutes of the preceeding Council being read & approved, The Governour informed the Board, that David French of N Castle, had been warmly recommended to him by many people, & especially by some Gentlemen of the Assembly, as a fit person to be appointed Attorney General of the Counties of New Castle, Kent & Sussex, wherefore he intended to Commissionate him for that office if the Council had no objection thereunto, and no objection was made.

Then was taken into Consideration the State of the Magistracy in the sd. Counties, and after mature Deliberation,

Resolved, that a new Commission be issued to the former Judges of the Supream Court, for hearing of Appeals, &c., viz: to Colo. John French & Samuel Lowman, Esqr., of N. Castle County, Robert Gordon & Benjamin Shurmer, Esqrs., of Kent, Henry Brooke & Jonathan Baily, Esqrs., of Sussex, and that they be also thereby appointed Commissioners of Oyer & Terminer & General Gaol Delivery in the sd. Counties, with Power to Nominate their own Clerk in all Tryals of Criminals, and that the sd. Commission do issue with all conve- nient speed.

Resolved also, that new Commissions of the Peace be issued for the several Counties, and that Colo. John French, Robert Gordon, Joseph England, Charles Springer, John Richardson, James James, William Battell, David Evans, Andrew Peterson, Ebenezer Empson, Hans Hanson, James Dyre, Samuel Kirk, Richard Grafton & Simon Hadley, be Commissionated Justices for New Castle County.

And that Robert Gordon, Benjamin Shurmer, Richard Richardson, Charles Hilliard, Thomas French, Mark Manlove, Timothy Hanson, John Hall, James Worrell, Joseph Booth, junr., John Brincklow, Thomas Berry, George Nowell, John Houseman, John Tilton, William Manlove & Hugh Durborrow, be Commissionated Justices for Kent County.

And that Henry Brooke, William Till, Philip Russell, Samuel Rowland, Woolsey Burton, Simon Kollock, John May, Jeremiah Claypoole, Jacob Kollock, Thomas Davis, John Jacobs, Samuel Davis & Joseph Cord, be Commissionated Justices for the County of Sussex.

The Board being informed that there are some Negroes Prisoners now in the County Goal of Sussex, committed thither for certain Crimes. Resolved, that a Commission for the Tryal of Negroes, according to a Law of these Counties be issued, and that the same be Directed to William Till & Philip Russell, of & for the sd. County of Sussex.

And then the Council adjourned.

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At a Council held at Philadelphia, August 2d, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Governour.

Richard Hill,	James Logan,	Esq'rs.
Samuel Preston,	Anthony Palmer,	
Robert Assheton,	Henry Brooke.	

The minutes of the preceeding Council being read & approved; also was read a Draught of a Commission to be issued for constituting the Supream Court in the Lower Counties, pursuant to a resolution of the Board, at New Castle the 25th of July last, which was also approved.

Then the Governour laid before the Board a Speech in Writing which he intended to make to the House of Representatives, desiring the opinion of the Council thereupon.

The Speech was unanimously approved of by the Board, and the House of Representatives being sent for attended with their Speaker, to whom the Governour spoke as follows, viz:

" Mr. Speaker & Gentlemen of the Assembly:

" After my Arrival here with my Family, I earnestly wished for " the Opportunity your own Adjournment has now given me of see- " ing & speaking to the Representatives of the good People of this " Province, whose general character for Sobriety & Industry, above " many other of his Majesties Subjects, added much to the pleasure " I received from our Honble Proprietors Nomination of me to serve " them and you in this Station.

" And I question not, Gentlemen, but all those who have a due " sense of Gratitude for the Merits of the worthy Founder of this " Colony under the Crown, will be very well pleased to find, by my " Accession, that no Disputes amongst his Descendants could dis- " able them from pursuing the common Measures, according to their " undoubted Right, in substituting their Deputy for the Aministration " of this Government, nor prove any Obstruction to the Kings Gra- " cious Approbation of their Appointment.

" His Majesties Concurrence is what all men might rationally " expect from a Sovereign, whose innate Goodness, impartial Justice, " & unwearied Vigilance, not only for the Security & Liberties of " his Subjects, but for the general Benefit & Freedom of Mankind, " have made him the object of the Love or Terror of the Nations " round him & the Proprietors Family. I assure you, Gentlemen, " express so sincere a Zeal & so tender a Concern for your Happi- " ness, that principally on this Foundation I hope to recommend myself " to their Regard; For their Interest & yours they esteem inseparable, " & consider those as Friends to neither who would attempt to Divide " them.

" From hence it is that I, in a great measure, account to myself for " their Choice of me before divers others who sollicited their Favour,

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" For Knowing that I had been bred to the Camp, remote from the " refined Politicks which often serve to perplex mankind, And that " an honest Plainness, free from Art or Disguise, made up the main " of my Character, amongst my Friends & Acquaintances, the " Honble the Proprietors rightly Judged, that such a Person could " form no views, but what would be openly avowed, and therefore be " understood by every Man they could affect.

" This notwithstanding might lay me under some Discourage- " ment, lest on nicer Occurrences, I might fail in the Discharge of " so important a Trust, but I have even been perswaded; that to do " Right is not so difficult a Task, as some would render it. In Emer- " gencies of Weight & Moment, I shall endeavour to Fortify myself " with the Advice of the Representatives of the People, when it may " be had, and at all Times, with the Judgment of such only as I can " be assured have the true Interest of the Publick, so seriously at " heart, that nothing private can interfere with it.

" To discountenance Parties, Divisions, & Factions in Govern- " ment, to maintain Right & Justice, to promote Vertue, to suppress " Vice, Immorality, & Prophaness, to assist & protect the Magis- " trates in Discharge of their Duty herein, to Encourage Legal " Trade, & to use the Indians well, as they are plain, so they are " the principal matters I have in Charge, in all which I shall depend " on the Concurrence of the Assemblys of this Province where any " further Provision by Laws to be Enacted for any of the said Pur- " poses may be necessary, and on my part, nothing in my Power " shall be wanting to Enforce their Execution.

" To transmit our Laws duely to his Majesties Privy Council, " pursuant to an Injunction in the Royal Charter, and to have a " proper Agent appointed, is another Article, Gentlemen, I am to " Recommend, & you will easily perceive this to be of such Impor- " tance, that I promise myself, it cannot fail of your serious thoughts " & Consideration.

" These Heads, Gentlemen, I judged necessary to mention toge- " ther at this our first meeting, which may now, or hereafter, at the " most proper Seasons be duely Considered, To which I shall only " add, that to secure the Peace, & advance the Prosperity of the " People of this Province, and to concur with their Representatives " in such measures as may best obtain those Ends being Equally my " Duty & Inclination, for what relates more immediately to my Self, " I shall so far depend on their Goodness & Justice, as to hope I shall " neverhave occasion to put them otherways in mind of it, but that we " may on both sides rest secure of an honourable discharge of what " is incumbent upon us, reciprocally to each other.

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At a Council held at Philadelphia, 25th August, 1726.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	James Logan,	Esq'rs.
Isaac Norris,	Samuel Preston,	
Robert Assheton,	Henry Brooke,	
William Fishbourn,		

The Minutes of the preceeding Council being read The Governour proposed the taking into Consideration the issuing new Commissions of the Peace in this Province, Whereupon some members observed, that the Commissions which heretofore used to run in the Proprietors Stile had for some years past been disused, & lieu thereof the Kings Stile introduced, and proposed, that that Mark of the Proprietors Power & Authority should be again restored in issuing of these Commissions; To this most of the members spoke in their Turn, and agreed, that as this is a Proprietary Government, in which the Governour himself derives his Commission and Authority from the Proprietor, & is only approved by the King, it were proper, that all other Commissions in the Government should issue in the Proprietors Stile, But it being considered that the Disputes in the Proprietary Family are not as yet fully settled; The Board is of opinion, that it will be more convenient for the present that the Commissions be issued of late, in the Kings Stile, tested by the Governour, and that in the Teste the Proprietors Power & Authority shall be sufficiently expressed & acknowledged.

The Governour advising with the Board about filling up the Commission of the Peace for the County of Chester, the following Persons were agreed on, vizt: John Wright, Richard Hayes, Henry Pearce, Nathaniel Newlin, John Wood, Henry Hayes, Isaac Taylor, Elisha Gatchel, Samuel Nutt, John Crosby, Abraham Emmett junr., Thomas Reid, George Assheton, Tobias Hendricks, Andrew Cornish, Mercer Brown, Evan Lewis & Wm. Pyle.

Resolved also, that the following be commissionated Justices for the County of Philadelphia, vizt:

Isaac Norris, James Logan, Anthony Palmer, Samuel Preston, William Fishbourn, Edward Farmer, Clement Plumstead, John Swift, Charles Read, Robert Fletcher, Thomas Laurence, Evan Owen, Edward Roberts, Thomas Fenton, Richard Harrison, Joseph Assheton, Derick Jansen, & Owen Evan of North Wales.

At a Council held at Philadelphia, 15th Septemr., 1726.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Govr.

Richard Hill,	Robert Assheton,	Esq'rs.
James Logan,	Henry Brooke,	
Samuel Preston,	William Fishbourn.	

The minutes of the last preceeding Council were read & approved.

The Governour proposed it to be considered by the Board, before they entred on any other Business, whether it might not be adviseable in divers Respects to appoint some other Person to officiate as Clerk of the Council, for altho' the present Clerk appeared fully capable of discharging that Trust, Yet as he is known to lie under deep Engagements to that Party, who are at this time manifestly endeavouring to disturb the Repose of the Publick, It may not be expedient to admit him as a Witness to all the Consultations that may necessarily be entred on here; And thereupon the Governour proposed Robert Charles, a young Gentleman he had brought over with him as his private Secretary, in whose Fidelity, he assured the Board, they might fully confide, to supply the Place of the other, if the Council should think fitt to approve of him. The Board readily agreed, that a Change might be expedient, But as it highly concerned all the Members, that the Minutes of their Consultations should be faithfully taken & kept, The Governour was requested that they should be under the Direction & Keeping of James Logan, & He was desired to inspect & assist in the Draught of them, and thereupon the said Robert Charles was admitted.

The Governour then acquainted the Board, that the occasion of his calling them at this time, was, that the Commissions to the Provincial Judges, which were necessary to be renewed, against the approaching Court, should be considered and whether there ought to be any Alterations made in the Persons who were to be constituted.

Those Persons being David Lloyd, Richard Hill & Robert Assheton Esquires, It was thought proper at this time, that the first, vizt: the Chief Justice should be continued, as well as the second; But Robert Assheton finding that some objections had been made against his sitting in the Supream Court, while he was Recorder of the City of Philadelphia, desired that he might decline this Commission, But as this might be construed by the People, who had on some late occasions expressed too little Regard to his Station, to be a Diminution of his Honour & Reputation, that Point ought carefully to be guarded by this Board, for that as the said Robert Assheton had been invited over into this Countrey by the Proprietor himself, as his near Relation, above twenty seven years since, to take upon him some advantageous Posts in Clerkship, for which by his Education he was very well qualified, and that he had with great abilities for about twenty six years filled the Office of Clerk & Prothonotary of the City & County of Philadelphia, there should be all due Regard shew'd to him by this Board, and his Reputation be supported & defended in the legal Discharge of his Trust & Duty, in which he was desired to use all due Circumspection, that no envious or other Person might have any just advantage against his Character, or against the Administration on his account in any Respect whatever.

And it was then inquired, what Powers the said Robert Assheton was invested with, as Recorder of the City of Philadelphia, And the City Charter being produced & considered, It was the unanimous

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opinion of the Board, that his Office of Recorder fully invested him with all the Powers of a Justice of the County & City of Philadelphia, to all Intents & Purposes whatsoever, and that by Vertue of his said Office he might legally discharge all the Powers & Duties of a Justice of the said County, as fully as if he were named in the General Commission, only he was advised, that he should not sitt on the Bench judically with the other County Justices, because as he is Clerk of the Peace & Prothonotary of the Court of Common Pleas, some umbrage might be taken at his acting in both these Stations.

Upon M*r*. Assheton's declining the said Office of Provincial Judge, the Governour desired the Board to consider of a fitt Person to be appointed the third Judge in his Stead, And Jeremiah Langhorn Esquire being named, the Board unanimously agreed, that he should accordingly be appointed & putt into that Commission.

At a Council held at Philadelphia, 23d Septemr., 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Caleb Pusey,	Anthony Palmer,	Esq'rs.
James Logan,	Robert Assheton,	
Richard Hill,	Henry Brook,	
Isaac Norris,	Willm. Fishbourn.	

The Minutes of the preceeding Council being read & approved.

It was observed that some Members of this Board had of late not taken their Places, nor been entred on the Minutes of Council according to their Seniorities, And it was therefore moved & agreed to, that the Minutes should be searched for a Rule therein, to be observed for the future.

The Governour acquainted the Board, that one Alexander Molliston of the County of Sussex had about seven or eight days since brought him a Petition, complaining of some Abuses he had received in that County—that the matter of it, in the Governours opinion, was fitt for the Cognisance of this Board, that most of the Members having been absent at Burlington this week, the man had stay'd till their Return, that now therefore he desired the Board to take it into Consideration.

It was observed hereupon, that if the Complaint be for abuses received, the Complainant has his Remedy at Law, but can have none from this Board, and therefore it may not lie properly here, nor be fitt for this Board to take any Cognisance of it.

But it was said the Complaint lay against a Magistrate who by Vertue of his Authority, as such, had injured the Complainant, that his Commission screen'd him from the Prosecution of the Complainant, and that the conduct of that Magistrate in his County in such as

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requires the Notice of this Board, Whereupon the said Mollistons Petition was read setting forth sundry abuses the Petitioner had suffered from William Till, who as a Magistrate, & by his Influence on the Court of the County, had admitted divers arbitrary Acts, by means of which the Petitioner was utterly disabled from following his Employment & providing Bread for his Family, and therefore prays the Governour to grant him a suitable Relief therein.

After reading of which, one of the Members likewise informed the Board, that the same Justice William Till had some months agoe brake open & Kept up a Letter wrote & sent by James Steele of Philadelphia to Robert Frankland, Surveyor of the County of Sussex, inclosing some Copies of an Address from a late Assembly of the lower Counties to the Governour Sir William Keith, in the beginning of his Administration, which were thought proper to be distributed for the Proprietors Service, that the said William Till had most contumeliously treated the said James Steel on that occasion, tho' he had acted therein for the Proprietors Service only, & as his officer, and had not given either the said William Till, or any reasonable Person, any just occasion to be offended with his Proceedings in that Affair.

Another Member likewise, that in a late Assembly of the three lower Counties, Mr. Till had used most indecent & disregardful Expressions of the Proprietary Family.

Upon due consideration of all which the Board was unanimously of opinion, that the said William Till had made an indiscreet use of the Powers with which he had been invested, and therefore that he should be superseded; And a new Commission of the Peace being to be issued for the said County, the following Persons are agreed on to be inserted in the same, vizt: Henry Brooke, Richard Hinman, Philip Russel, John Roades, Woolsey Burton, Samuel Rowland, Jeremiah Claypoole, Jacob Kollock, John Jacobs, Samuel Davis, Joseph Cord, Robert Shankland, George Walton & Enoch Cumings.

At a Council held at Philadelphia, 4th October, 1726.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	Robert Assheton,	Esq'rs.
Isaac Norris,	Henry Brooke,	
Samuel Preston,	William Fishbourn.	
Antho. Palmer,		

The Governour acquainted the Board, that he had observed frequent Riots and disorderly Practices had been committed of late within this City, an Instance of which appeared in burning down in the open Market Place the Pillory and Stocks, on the Evening of the

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first instant, & therefore proposed to issue a Proclamation for suppressing such tumultuous Proceedings for the future, & to excite the Magistrates & other Officers of the City to a more strict Discharge of their Duty in preserving the Publick Peace & suppressing all such Disorders, To which the Board unanimously agreed, and It is ordered that the same be forthwith prepared.

The Governour having received from the several Sheriffs & Coroners of the respective Counties of this Province, Returns of the Elections of Persons to be presented to him for his choice of a Sherif & Coroner respectively for each County, desired the Advice of the Board, in his nomination, which is as followes:

For Philadelphia City & County, Owen Owen & Merick Davis, being returned for Sheriffs, & James Boiden & Joshua Fincher for Coroners, Owen Owen is appointed Sherif, & Joshua Fincher Coroner.

For Chester County, John Taylor & Philip Taylor being returned for Sheriffs & John Mendenhall & John Dutton for Coroners, Jno. Taylor is appointed Sherif, and John Mendenhall, Coroner.

For Bucks County, Thomas Biles & John Hart being returned for Sheriffs, & Jonathan Woolston & Samuel Baker for Coroners, Thos. Biles is appointed Sherif, & Jonathan Woolston Coroner.

Accordingly Commissions are ordered to the said Persons for their respective Offices, the Sheriffs giving Security in the Rolls Office as the Law directs.

The Governour having likewise received the Returns of the Sherif & Coroner of the County of Newcastle, of Persons to be presented to him for his Choice of a Sherif & Coroner for that County, vizt: William Battell & John Gooding for Sheriffs, & Joshua Story & Morgan Morgan for Coroners. The Governour, agreeable to the advice of the Board appointed John Gooding Sherif & Morgan Morgan Coroner.

A Draught of a Proclamation for suppressing of Riots this day ordered being presented to the Board, It was approved and ordered to be Engrossed, sealed & published.

The Day following out of Council,

Returns having been delivered to the Governour of the Elections of Persons to be presented to him for his Choice of a Sherif & Coroner for the Counties of Kent & Sussex, vizt:

For Kent County, William Rodeney & Thomas Skidmore being returned for Sheriffs, & Edward Jennings & Thomas French for Coroners, William Rodeney is appointed Sherif, & Edward Jennings Coroner.

For Sussex County, Rives Holt & Peter Adams being returned for Sheriffs, & Samuel Davis & Edmund Naws for Coroners, Rives Holt is appointed Sherif & Samuel Davis Coroner.

And Commissions are ordered to issue to them accordingly.

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At a Council held at Philadelphia, 15th October, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan,	Anthony Palmer,	Esq'rs.
Richard Hill,	Robert Assheton,	
Samuel Preston,	Henry Brooke.	

The Representatives of the Freemen of this Province elected the first instant, being mett in Assembly on the 14th, in pursuance of their Charter, & the Law in that Case made & provided, & having sent a Message by two of their number to acquaint the Governour therewith, & to know when he would be pleased to receive the House, he had appointed them to attend him this morning in Council.

And they presenting themselves accordingly, David Lloyd, Esquire, addressing himself to the Governour, acquainted him, that the House of Representatives had thought fitt to chuse him to be their Speaker, But that, considering his own Inability for that office, he requested the Governour would order the House to proceed to another Choice; To which the Governour answered, that he looked upon him, as a Person qualified for discharging that office, and therefore he could not but approve of the Houses Choice of him to be their Speaker.

Then the Speaker addressing himself to the Governour in the name of the House desired, That the Governour would protect them, he meant not (he said) on account of their Debts, but from the Insults of the rude People of this City, from whom he thought there was some Danger, and that their Tumults ought to be suppressed.

That the Governour would grant the Members of Assembly free access to his Presence, when sent to him by the House, and That he would be pleased to putt a favourable Construction on their Proceedings.

The Governour answered that he had lately published a Proclamation for suppressing these Disorders, which he hoped would have a good Effect, and the House might assure themselves of what he had further requested, & then the House withdrew.

The Governour laid before the Board a Letter he had two days since received from the Secretary to the Lords Commissioners for Trade & Plantations, touching the several Acts made in this Province for establishing a Paper Currency, which was read & is as follows:

For His Majesties especial Service To the Honble Patrick Gordon, Esqr., Deputy Governour of His Majesties Province of Pensilvania in America, or to the Commander in Chief of that Province for the time being.

PENSILVANIA,
Whitehall, May 11th, 1726.

SIR: I am commanded by my Lord Commissioners for Trade & Plantations to acquaint You, that they have lately had under their

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Consideration four Acts passed in Pensilvania, for giving a Currency to Paper Money Entituled,

An Act for emitting & making Current £15,000 in Bills of Credit, Passed 2d March, 1722-3.

A Supplementary act to the act entituled An Act for emitting & making Current £15,000 in Bills of Credit, Passed 30th March, 1723.

An Act for the better & more effectual putting in Execution an act of Assembly of this Province Entituled an act for emitting & making Current £15,000 in Bills of Credit, Passed 11th May, 1723.

And an Act for emitting & making Current £30,000 in Bills of Credit, Passed the 12th of December, 1723.

Their Lordships have found by Experience, that Bills of Credit have been of very ill Consequence in other Places where they have been issued, particularly in Carolina, where not only the Province, but the Merchants have sustained great Losses thereby.

For this Reason, if it were not out of Tenderness to those Persons into whose hands the Bills issued in Pensilvania may have passed, their Lordships would lay the aforementioned Acts before His Majesty to be repealed; And if any further Acts are passed for creating more Bills of Credit than those already issued, Their Lordships will certainly think themselves oblidged to lay them before His Majesty for his Disallowance.

However for the present, their Lordships command me to acquaint you, that they think it highly necessary for His Majesties Service, & for the Good of the Province under your Government, that all possible Care should be taken for the effectual sinking those Bills, and that the Funds given for that Purpose be duely applyed.

I am further directed to observe to you, that the Laws referred to in these Acts for Paper Currency have never yet been transmitted to this office, And to desire that you will transmitt the said Acts, & all such Acts for the future as shall be passed in Pensilvania.

I am, Sir,
Your most Humble Servant,
ALURED POPPLE.

The Governour then desired the Advice & Opinion of the Board, whether it might not now be proper to lay this Matter before the House, But some of the Members observing that it had not been usual for the Assemblies to proceed on Business at their first meeting, And that if this affair should be laid before them, & they adjourn, without taking the same into Consideration, it might be of bad Consequence, It was proposed & unanimously agreed to, that the following Message should be sent to the House, vizt:

" That the Governour having been very much indisposed most of " this week, & understanding that it had not been usual for Assem- " blies to proceed on Business at their first meeting, this being also " the last day of the week, he had declined laying any Business

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" before them this Morning, tho' he has by this last Conveyance " received some orders which nearly affect the Countrey, and will de- " serve the Houses Consideration, And therefore if the House will " think fitt to meet the beginning of next week, the Governour will " then without further Delay communicate what he has to lay before " them.

Richard Hill & Henry Brooke, Esquires, were desired to carry this Message, which they did, & being returned say they delivered the same, and that the House desired Time to consider of it.

A Petition of several Inhabitants in & about Franckfort, setting forth the Inconveniences of the Road on both sides of the Bridge there, for that on the father side there is occasion also for another Bridge over the other Branch of the Creek, which is there divided, & that to prevent the Charge of the two Bridges, that the Road also between the Millhouse and the Creek is much too narrow, All which Inconveniences might be prevented by turning the Road a little lower & building one Bridge, which would fully answer the End of two, where the Road now passes, and therefore praying that the said Road may be reviewed, was read, and the Consideration thereof deferred till another time.

A Petition of divers Inhabitants about Pequea in the County of Chester was read, setting forth, that by order of Chester Court a Road had been laid out through the Township of Pequea, over Hills Swamps & Rocks, & almost half a Mile about in the space of three miles, to the great Inconveniency of Travellers & the said Inhabitants, which Road is said to be that which leads from near Thomas Moore's towards the Township of Donnegal, and therefore the Petitioners pray that six good Men may be appointed to view the said Road, and make such Alterations therein as shall be necessary for the Service of the Publick.

Which Petition being considered, Tis Ordered that John Wright, George Aston, Samuel Blunston, Samuel Rutt, John Musgrave, & Edmund Cartlidge, or a Majority of them, may view the said Road, & particularly that Part leading through the said Towhship of Pequea, & make such Alterations therein, as to them shall seem most just & reasonable for the publick Service, and make Return of their Proceedings herein to this Board.

A Message from the House by four Members acquainted the Governour, that the House intended to adjourn, if the matters he was to lay before them did not require their immediate Consideration, but requested in the mean time, that the Governour would be pleased to acquaint the House with the nature of these orders he had received, which so nearly affect the Countrey—And being desired to withdraw for a little time, after some Debate James Logan & Richard Hill, Esquires, were ordered to acquaint them with the aforementioned Letter from the Board of Trade, that they might inform the House of the same, but in such a manner, that no minute thereof should be entered on their Journals, until it should come in due form before them at their next Meeting.

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And the said Members of Council reported to the Board, that they had communicated to those of the Assembly what they had in Charge, and that they had desired the Letter might be shewn to the House, which was agreed to upon Condition, that it should not be entered on their Minutes.

And then the Council Adjourned.

At a Council held at Philadelphia, 21st November, 1726.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan,	Anthony Palmer,	} Esq'rs.
Richard Hill,	Robert Assheton,	
Isaac Norris,	Willm. Fishbourn.	

The Minutes of the two preceeding Councils were read & approved.

The Governour then acquainted the Board, that the Assembly of the Province being now mett, he intended to lay before them such Matters as seemed proper for their Consideration, and for that End had prepared a Speech, upon which he desired the opinion of the Board; And the same being accordingly read & considered, was unanimously approved by the Board & is as follows:

Mr. Speaker & Gentlemen of the House of Representatives,

" Having fully declared to the last Assembly what I take to be " incumbent on me, in the Discharge of my Trust, I shall now re- " commend to you such matters relating to the Publick, as may be " proper for your consideration.

" And in the first Place our Bills of Credit will claim your Regard, " At your first meeting in October, I acquainted you with a Letter " I had received but two days before from the Secretary to the Right " Honourable the Lords Commissioners for Trade and Plantations, on " the subject of our Paper Currency, which I now lay before you, " By this Letter you will observe what Impressions the Conduct of " some of these American Colonies had made on the Board to the " Disadvantage of such Bills. Yet notwithstanding their Dislike to " them in general, they have expressed so much Tenderness for the " People of this Province, who have now that Currency in their " Hands, that we may, I hope, justly concluded the former Acts for " establishing it are happily out of Danger of a Repeal, But as " the Act past last year for re-emitting part of the same Bills out " of the Loan Office may be thought to interfere with their Lordships " Directions, it will require our serious Application to find out proper " Measures for securing this equally with the other acts, which 'tis " hoped, may be successfully effected, when their Lordships are " duly apprized that the Trade between Britain & this Province, has " been so far from suffering, that it has been manifestly encreased

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" since the Establishment of that Currency here, & that more Bri-
" tish Goods have been imported, more Ships built in this Place for
" their Merchants, than had been for many Years before, But more
" especially that this Currency instead of sinking in value, which
" has been the great & chief objection to it in some other Colonies,
" now actually rises with us, being at this time at less than half the
" Discount that, as I have been assured, it bore with Gold & Silver
" but a Month before my Arrival; When this is duly represented to
" their Lordships, I hope we shall have no Room to doubt, but they
" will abate in their opinions of the ill Consequences of that Curren-
" cy, especially in this Colony—And therefore seeing Ten thousand
" Pounds of the Bills now in the Peoples hands, subsist on the Foun-
" dation of the last act, which was past before their Lordships Sen-
" timents were made known to us, we may hope for their Indulgence
" to that also, To obtain which I shall very heartily joyn with you
" Gentlemen in whatsoever shall be reasonably proposed.

" I cannot but with great Pleasure take notice on this occasion, of
" the happy Prospect that this Province now affords of supplying by
" the Industry of its Inhabitants, the Want of those Natural Advan-
" tages that have attended divers of the American Colonies (in
" making Returns with their own Product directly for Britian) which
" in all Probability must in due time introduce real Wealth & a
" Currency of Intrisick Value amongst us.

" Several Companies are already engaged in carrying on Iron
" works. Hemp, from the Encouragement given, I am told, is raised
" in much greater Quantities, But the first of these requiring a large
" stock, and the other very fertile or enriched Land, wch may dis-
" able poorer Families from partaking of their Benefits; Providence
" seems now to have pointed out one Method more for employing
" Even the mean & weak, as well as others of both sexes to conside-
" rable Advantage, by raising Silk, which, as I am credibly informed,
" is produced here, as fine & good, as most of the World affords, &
" with as much ease. These three are Commodities for which Britian
" pays dear to other Countries, and with which there can be no
" Danger of overstocking the Market, therefore as nothing can be
" more acceptable to Britian, than to receive from its own Colonies,
" what it purchases more disadvantageously from Forreigners, no-
" thing perhaps may better deserve the Notice & Encouragement of
" the Legislature.

" These Gentlemen are the Heads I shall at present mention, what
" further occurs may be sent to you by Messages, I shall only here
" observe, that from the Views I have yet had of this Province, it
" appears very plain, that we are, or may be, a very happy People,
" if we can but act worthy of those Blessings which seems to have
" attended the pious & sincere Intentions of the late Honourable
" Proprietor of those Sober good People, who have joyned their
" Endeavours in the Settlement of this Colony. A gratefull & humble

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" Sense of those Mercies from the bountifull Hands of Divine Pro-
" vidence, under the mild Influence of a most benign & gracious
" Sovereign, & the favour of indulgent Proprietors, are the only
" Methods of securing their Countinuance, And a steady Resolution
" in you Gentlemen to advance the true & solid Interest of the
" Countrey & Reputation of the Governmt., by establishing Justice
" & Sobriety, will be the most effectual Means of disappointing those
" who by fomenting vain & idle Jealousies might seek to disturb our
" Repose, In all which, & whatever may tend to the Honour & Be-
" nefit of the Publick, You shall always have my very ready Con-
" currence.

At a Council held at Philadelphia, February 2d, 1726-7.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Richard Hill, Isaac Norris, Samuel Preston, Anthony Palmer, Robert Assheton, Willm. Fishbourn. } Esq'rs.

The Governour acquainted the Board, that being informed there had been held here for some time past, by the late Governour, a Court of Equity or Chancery, & that several matters were depending in that Court, touching which he had been frequently applied to by the Persons concerned, to the End he might take upon himself the Execution of the Office of Chancellour, but had hitherto declined the same until he should be better informed how the said Court came to be Erected, and have the Advice of this Board which he now desired on that head.

Whereupon it was observed, that the Erecting of that Court was in Compliance with the Desire of the Representatives of the Freemen of this Province, Signified to the then Governour by an unanimous Resolution of their House, dated the 4th of May, 1720, and by the Approbation of this Board, as might appear by the Minutes of Council. And that therefore it's the opinion of this Board, that the Governour may lawfully take upon himself the Execution of the said Office, that there may be no stop in the Administration of Justice, Provided always that due Regard be had to a Rule then Established & Entered on the Minutes, Which being read & agreed to, is hereby de novo established and confirmed, & is in these words:

" That as often as the Governour is to Sitt in Chancery and hold
" a Court, all the Members of Council in or near Philadelphia shall
" be Summoned to attend the Governour as his Assistants upon that
" Bench, And that there shall not any Decree be pronounced or made
" in Chancery, but by the Governour as Chancellor, with the Assent
" & Concurrence of any two or more of the Six Eldest of the Council

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" for the time being, And that those Six Eldest Counsellors or As-
" sistants, or any of them, may be employed by the Governour as
" Masters in Chancery, as often as occasion shall require.

Then the Governour took the Oath of Office, After wch it was proposed, that some certain Rules for the better regulating of the Court & the Speedier Dispatch of Business should be drawn up by Persons skill'd in the Law, & the Constitution of such Courts, Which Proposal was approved of, & David Lloyd, Esquire, Chief Justice, & Andrew Hamilton, Esqr., Counsellor at Law, were named for that Purpose.

Upon a Representation to this Board, that in remote Parts of this Province, where Lands have not been regularly Surveyed or granted, divers Persons not only Enter & Settle the Proprietors Lands without any Grant or Permission, but sometimes have proceeded to Acts of Violence in forcibly ousting of others, a remarkable Instance of which has lately happned in or near the Township of Donnegal, on Sasquehannah, where one John Scott being with his Wife and Children in peaceable Possession of a House, which he had built, were not only ousted by Force but their house was pull'd down before their Eyes, to the very great Breach of the Peace & Terror of the Kings peaceable Subjects; To which Proceedings, unless a timely Stop be putt, & an effectual Discouragement given, the Country and the Publick Peace thereof may very deeply suffer thereby.

Whereupon, It is ORDERED, that all Magistrates & other officers who come to the Knowledge of any such Riots and Acts of Violence & Proceedings in their respective Counties, be required to exert their Authority & prosecute the Offenders with Vigour, in causing them to be apprehended, not only by the Constables and Assistants, but if occasion be, by the Sherif of the County with a sufficient force, and such Offenders when taken to committ to close Prison, unless they shall find good substantial Security for their appearance at the next ensuing Courts of Quarter Sessions in their respective Counties.

And that the Magistrates further take Care to bind Over proper Evidences who can give Information of such riotous Proceedings, to attend at the respective Courts, in order to have the Offenders prosecuted with Effect, that thereby the publick Peace may be preserved & Evil minded Persons be discouraged from breaking the same.

At a Council held at Philadelphia, March 29th, 1727.

PRESENT.

James Logan, Robert Assheton, } Esq'rs.
Richard Hill, Wm. Fishbourn. }

The Governour acquainted the Board, that by Reason of the rising of the Waters, through the excessive Rains we have had of late,

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the Assembly of this Province did not meet the 27th Instant pursuant to their Adjournment, so that they were now without a Day, But being informed that there was a sufficient Number of Members in Town to make a House, he intended to constitute them one again, to the End he might lay before them a Matter of great Importance to the Prosperity of this Province, which he had now drawn up in Writing for the consideration of this Board, and the same being read & some small Amendments made, was approved of & is as follows:

Mr. Speaker & Gents. of the House of Representatives:

" The Weather & Floods having prevented your meeting on the " 27th instant, pursuant to your last Adjournment, I thought fitt not- " withstanding as soon as a Sufficient Number to make a House were " in Town, to Enable you as I now do to act again, and altho' I " understand you are still for the Reasons that have been mentioned, " much short of being full, yet I cannot decline laying before you a " Matter of vast Importance to the whole Countrey, which requires " all our Attention and your serious Application."

" This Gentlemen, is the horrid Attempt of some of the wickedest of " Men, to adulterate the Bills of Credit of our own & the neighbouring " Provinces, first discovered by me at Newcastle, and since more " fully by his Excellency the Governour of New York, who has ad- " vised me of his Success in apprehending two of the Criminals there.

" The Design appears to have been laid so deep, that it may not " unjustly be compared to the poisoning the Waters of a Countrey, " the blackest & most detestable Practice that is Known, and which " the Laws of Nations & those of War condemn even in declared " Enemies, for as that destroyes the Lives of the innocent in taking " their natural Food, this would as effectually overthrow all Credit, " Commerce & Traffick, and the mutual Confidence that must Sub- " sist in Society to enable the Members of it to procure to themselves " and Families their necessary Bread."

" We have seen large Quantities of the Counterfeit Bills of our " neighbouring Colony diffused in this Province, to the great Loss of " its Inhabitants, & I am crediby informed the Design has been laid " to pour in upon us a flood of our own Bills, counterfeited from Ire- " land, where they have so artfully imitated most of those of Jersey, " that it requires more skill to distinguish them than is to be expect- " ed amongst the Common, and especially amongst Countrey People.

" Therefore to prevent the Importation & spreading of these Bills, " if possible, and to provide for the apprehending & punishing the " Importers or Counterfeiters, & such as shall Knowingly utter the " same, in a manner more adequate to the Crime than is yet provi- " ded by the Law, is what I must now Earnestly recommend to your " most serious Consideration, lest such Provision should be too late, " & the Credit of our Bills should sink, which for the fatal Conse- " quences that you are sensible must attend that unhappy Event, " should be guarded against with the utmost Care."

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The Governour then proceeded to inform the Board, that he had lately mett the Assembly of the three lower Counties at Newcastle, where he had succeeded in several Affairs nearly concerning the Interest of the Honble Proprietary Family, & likewise had opportunities of discovering several underhand Practices & Designs carried on in opposition to that Interest, by a Person who held very profitable Places under the said Family, and was distinguished with several marks of Favour & Places of Power under the Government, viz: John French; And that the Board might be the better convinced hereof, the Governour laid before them some Papers of the Handwriting of the said John French, evidently calling in Question the Proprietors undoubted Right to the said Counties, Which being read & well considered. And it likewise appearing to this Board, that he had used very unbecoming & disregardfull Expressions of the Proprietor & his Charter, the Board was unanimously of opinion, that he should be divested of all Power & Authority under this Government, & likewise stand dismissed from this Board, to which he had been formerly called as a Member of Council.

The Governour further informed the Board, that William Till having been formerly turned out of the Commission of the Peace for the County of Sussex, upon account of the Disregard he had showen to the Proprietary Family, had now not only acknowledged his Error and discovered to him the Methods by which he had been abused & imposed upon, but had likewise done very good service to that honble Family in the late Assembly, And therefore his Honour said, he had promised & thought it but just to reinstate him in the Magistracy, To which the Board agreed.

It was then proposed, seeing it would be necessary to issue new Commissions for the Supreme Court, and of the Peace for the said Counties, to consider of fitt Persons to be Commissionated, but the Consideration thereof was deferred till a fuller Board.

One of the Members informed the Board of a Complaint made by the Indians living near a Branch of Brandywine Creek, that their Fishing was hindered by the building of a Mill & Dam on the said Creek, in Newcastle County; And the said Member having observed, that a Law was pass'd in the lower Counties for Keeping the said Dam open during the Fishing Season, & that if the same was not done, The Sherif of the Countie was impowered & required to throw the same down; Moved that the Governour would be pleased to order the Sherif to put that Law in Execution, that there might be no Cause of further Complaint, which the Governour readily promised to doe.

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At a Council held at Philadelphia, April 20th, 1727.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan,	Samuel Preston,	Esq'rs.
Richard Hill,	Anthony Palmer,	
Isaac Norris,	Robert Assheton.	

The Minutes of the preceeding Council were read & approved.

The Governour observed to the Board that several of the Members of Council, living at some Distance from Town, & their Number being but few, it was difficult on some occasions to gett a Quorum together, & therefore proposed that an Addition should be made, and that the Members present would think of two or three fitt Persons for that End; And the Board being of opinion that such an Addition is very necessary at this time, took the same into Consideration, & the three following were judged qualified for that Service, & Resolved that they be call'd to this Board accordingly, vizt: Evan Owen, Clement Plumsted & Thomas Laurence, Esquires.

Then the Board proceeded to consider of proper Persons to be appointed Judges of the Supream Court of the Lower Counties, and Justices of the Peace for the Counties of Newcastle & Sussex, and the following Persons were held proper to be assigned, &

RESOLVED, that they be Commissionated accordingly, vizt: David Evans, Richard Grafton, Robert Gordon, Benjamin Shurmer, Henry Brook & Jonathan Baily, to be Judges of the Supreme Court.

Robert Gordon, John Richardson, Joseph England, Charles Springer, Andrew Peterson, Hans Hanson, Simon Hadley, William Read, Thomas January, James James, Junr., Richard Cantwell, Joseph Robieson & James Armitage, to be Justices of the Peace for the County of Newcastle.

Henry Brook, William Till, Richard Hinman, John Roades, Woolsey Burton, Simon Kolluck, Samuel Rowland, John May, Jeremiah Claypoole, Jacob Kolluck, John Jacobs, Samuel Davis, Joseph Cord, Robert Shankland, George Walton, Enoch Cumings & David Smith, to be Justices of the Peace for the Countie of Sussex.

At a Council held at Philadelphia, May 5th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	Robert Assheton,	Esq'rs.
Samuel Preston,	William Fishbourn.	

Clement Plumsted, Esquire, one of the three named in the preceeding Minute, as Persons fitt to be added to this Board, now attending, was called in, and took and Subscribed the several Affirmations

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& Declarations enjoyned by Law to be taken by those called Quakers, as also an Affirmation for the Discharge of his Duty as a Member of Council.

A Bill being sent up this day from the House of Representatives, Entituled,

" An Act for the more effectual encouraging the raising of good Hemp, and for continuing an Excise on all Wine, Rum, Brandy, & other Spirits retailed within this Province, was read at the Board, to which some small Amendments were made & ordered to be sent down to the Assembly with the said Bill.

At a Council held at Philadelphia, May 6th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	Evan Owen,	} Esq'rs.
Robert Assheton,	Clement Plumsted.	
Willm. Fishbourn,		

The House of Representatives waited upon the Governour with an ingrossed Bill to be passed into a Law, wch was pass'd accordingly, vizt:

An Act for the more effectual encouraging the raising of good Hemp, & for continuing an Excise on all Wine, Rum, Brandy, and other Spirits, retailed within this Province.

And the Great Seal was Ordered by Warrant to be affixed to the same.

N. B. Evan Owen had formerly qualified himself as a Counsellor in Sir William Keith's Administration.

At a Council held at Philadelphia, June 5th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan,	William Fishbourn,	} Esq'rs.
Richard Hill	Evan Owen,	
Isaac Norris,	Clement Plumsted.	

The Governour acquainted the Board, that the Office of Prothonotary of the Court of Common Pleas for the City & County of Philadelphia being now vacant by the Death of Mr. Assheton, & the time of the sitting of that Court being near at hand, he intended to grant a Commission for that Office to Mr. Andrew Hamilton, whom he

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look'd upon as one not only well qualified by his Skill in the Law to fill that Place, but who had likewise done very considerable Service to the Proprietary Family in this Province & Counties; And that altho' the Power of this Appointment was entirely lodged in himself, Yet nevertheless he had thought proper to call the Council together at this time to have their Advice & opinion herein, which he now desired.

Whereupon each Member delivered his opinion, and all unanimously agreed in approving the Governours said Appointment.

At a Council held at Philadelphia, July 3d, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn,
Richard Hill, Evan Owen,
Isaac Norris, Clement Plumsted. } Esq'rs.
Samuel Preston,

Present also, several Chiefs of the five Nations, but most of them of the Nation of the Cayoogoes, vizt:

Connosoora, Cagongsaniyong, Cantaraghengrat, Tannewhannegah, Cannawatoe, Seelowacks, Achyiawanra, Onaquadeghoa, &c., with Civility & Satcheetchoe of Conestogoe, and Divers of the Ganawese, &c.

These, with divers other Indians, arriving from the five Nations and Sasquehannah four days agoe, desired a Meeting with the Governour as on this Day. The Governour, to give them an opportunity Summoned the Council for that Purpose, who being mett, & these Indians Seated.

The Governour told them by M. Montour, a french Woman, who had lived long among these People, and is now Interpretess, that he was glad to see them all well after so long a Journey, and was now ready with his Council to receive what they have to say.

Tannewhannegah spoke, & by Montour the Interpretess said, That the Chiefs of all their five Nations being mett together in one of their Towns, they held a general Council, & that these who are now present came in the Behalf & by the Advice of all the rest, that they understood the Governour of this Province had divers times sent for them to come hither, And that they were now accordingly come by the Advice of all their Brethren to know the Governours Pleasure.

That the first Governour of this Place, Onash, (that is Governour Penn) when he first arrived here, sent to them to desire them to sell Land to him, that they answered they would not sell it then, but they might do it in time to come, that being several times sent for they were now come to hear what the Governour had to offer.

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That when the Governour was at Albany he had spoke to them to this Purpose. Well, my Brethren, you have gained the Victory; You have overcome the People & their Lands are yours. We shall buy them of you; How many Commanders are there amongst you, and being told there were forty, he said Then if you will come down to me I will give each of these Commanders a Suit of Cloaths such as I wear. They say, that a former Governour proposed to some of their Nation, as they were passing by Conestogoe to go to War against their Enemies, that he would buy that Land at Tsanandowa, for that he had a mind to settle some of his people there, (as being in their Road) who would Supply them with Necessaries in their Journey; that they answered, they were then going to War and could not attend Affairs of Land, but at their Return they would lay the Matter before their Chiefs, who would give their Answer, and now they are come to hear what the Governour has to offer.

They add that the said Governour, when he was at Conestogoe, desired those Warriours to Speak to the Chiefs about the Purchase of that Land; that having no Wampum to send by them as a Token of the Message, he gave the Warriours a Cask of Powder with some Shott, a Peice of red Strowds and some Duffells, that the Warriours delivered their Message to the Chiefs, who have now sent to lett the Governour know they are willing to proceed to a Sale; And with this Speech they present two very small Bundles of Deer Skins for a Confirmation.

The Governour told them that he would answer them in the Morning to all they had said, & they departed.

JULY 4TH.

The Council and Indians being mett according to Appointment, the Governour, by the same Interpretess, in answer to what the Indians said yesterday spoke to them as followes, vizt:

The Governours of this Province, who have all acted here in the Place of William Penn, the first & great Governour of the same, have always been pleased with every Opportunity of cultivating & improving a friendship with the five Nations, and the present Governour & his Council take their Visit very kindly at this time, but they have been misinformed when they Supposed the Governour had sent for them; the Journey is very long & he would not have putt them to so much Trouble, or if he had seen Occasion for it he would according to Custom have sent some Messenger with a Token, by which the five Nations might have been assured of the Truth of the Message.

Governour Penn, (that is Onash) when he first came into this Province, took all the Indians of it by the hand; he embraced them as his Friends & Brethren, & made a firm League of Friendship with them; he bound it as with a Chain that was never to be broken; he took none of their Lands without purchasing and paying for them,

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& knowing the five Nations claimed the Lands on Susquehannah, he engaged Collonel Dungan, Governour of New York, about forty years since to purchase their Right in his behalf, which Collonel Dungan did, & we have the Deeds from him for all those Lands.

The five Nations were so sensible of this that they never since claimed these Lands, tho' we have had many Visits from them hither for brightning the Chain of Friendship. And five Years since, when Sir William Keith and four Gentlemen of the Council were at Albany, at a general Meeting of all the five Nations their Chiefs of themselves confirmed the former Grant, and absolutely released all Pretentions to these Lands; Our Records shew this, & these People who are now here cannot but be Sensible of it.

When a former Governour of this Place, with his Council, made a Present at Conestogoe to some of the five Nations then passing that way, it was not with any view to purchase the Lands at Tsanandowa. The Governour thanks them very heartily for their offer to sell these Lands, if they are not yet purchased, but he cannot treat about them at present. William Penn's Son, who was born in this Countrey is expected ever here, & then he may treat with them if he think it proper. In the mean time, as these Lands lie next to our Settlements, tho' at present at a great Distance, We shall take this Offer as a Proof of their Resolution to Keep them for him.

This is what the Governour has at present to say about Lands, but as they are come a long Journey to visit us, He gives them as our Friends & Brethren these Goods now laid before them, desiring that of the 5 Guns one may be given to the Chief of each of the five Nations, with three pounds of Powder & as much Lead, and the rest may be divided as they shall think proper. And we have also provided Bread, Cheese, Rum, Pipes & Tobacco, for their Support in their Return.

The Governour doubts not but they are fully convinced of our Friendship and Regard to them, and that they will Consider their Reception here as a Proof of it. The Governour recommends to them to notify to the Chiefs of the five Nations what passes between us, that it may be Kept in perpetual Remembrance.

The Goods which were last night ordered for them are,

5 fine Guns,	50 lbs. of Powder,
15 Strowd Match coats,	100 lbs. of Lead,
10 Blanketts,	2 dozen Knives,
10 Duffell Matchcoats,	
12 Shirts,	

Ordered further:

To the Interpretess 1 Strowd, 1 Shirt, 1 Matchcoat.
To her Husband Carondawana 1 Strowd, & another to her Niece.
To Civility 1 Strowd, 1 fine Shirt & 1 pair of Stockings.

Also, 1 cwt. of Bisket, 10 Gallons of Rum, with Cheese, Tobacco & Pipes, for their Journey.

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After the said Indians had received their Present, & were parted, they again applied, desiring an Opportunity of Offering something further, And the Governour appointing the same afternoon, they mett and presenting Six very small Bundles of Deer skins, proceeded to say:

That they are come hither to see the Governour in his Government, and are very well pleased with the opportunity given them, & with the Governours Discourse this Morning, concerning the Covenant Chain & the Friendship that has long subsisted between them, and 'tis This they desire may be Kept bright & shining to the Sun, & that neither Rain nor Damps nor any Rust may affect it to deprive it of its Lustre; And that the Governour & his People, & they & their People, and their Children & our Children may ever continue as they have hitherto been, one Body, one Heart & one Blood to all Generations.

They are (they say) but of one Nation, but they speak in behalf of all the five Nations & by authority from them all. All humane things are uncertain, & they Know not what may befall them, or into what Misfortunes they may be involved, if they hear any News relating to us like Brethren they will inform us of it; And if we hear any ill News relating to them they desire also to be informed of it, for when they meet with any Misfortunes and Troubles they will apply to us and acquaint us with them, as their Friends and Brethren.

The say that there come many sorts of Traders among them, both Indians and English, who all Cheat them, & tho' they get their Skins they give them very little in Pay. They have so little for them they cannot live, & can scarce procure Powder & Shott to hunt with & gett more. Those traders bring but little of these, but instead of them they bring Rum which they sell very dear, at least 3 or 4 times more than it is worth, and of this they complain.

They take Notice that both the French & the English are raising Fortifications in their Country and in their Neighbourhood, and that great Numbers of People are sent thither, the meaning of which they doe not very well conceive; But they fear some ill Consequences from it, and make it now Known to us as their Brethren.

They desire there may be no Settlements made up Sasquehannah higher than Pextan, and that none of the Settlers thereabouts be suffered to sell or keep any Rum there, for that being the Road by which their People goe out to War, they are apprehensive of Mischief if they meet with Liquor in these Parts. They desire also, for the same Reasons, that none of the Traders be allowed to carry any Rum to the remoter Parts where James Le Tort trades, (that is Allegany on the Branches of Ohio.) And this they desire may be taken Notice of, as the mind of the Chiefs of all the five Nations, for it is all those Nations that now speak by them to all our People.

The Governour received their present Kindly, thank'd them for what they had said, and that they might have something in Return for their last Present, It was ordered that the Quantity of Powder

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should be Encreased to a hundred Pounds, and instead of 100 lbs. they should have a hundred Barrs of Lead.

The Govr. told them he would answer what they had last said in the Morning; upon which, after a friendly Entertainment by the Governour & Council they parted.

JULY 5TH.

The Council being mett & the Indian Chiefs Seated.

The Governour, in answer to what they had proposed last Night spoke as follows:

To their 1st Speech: The first great Governour of this Place took Care to fix the Covenant Chain between himself & the Indians, & he & his People have always kept it bright on their parts, & are desirous it may ever be continued the same in the Manner they have mentioned betwen our Children & theirs forever, and the old men are desired to acquaint their young People with this as they grow up, that all our Posterity may know what their Fathers have agreed to.

We know of no ill News at present, there is no Danger of any War in these Parts. When we can inform the five Nations of any thing worthy their Knowledge we shall acquaint them: there is a great Talk of War in Europe, but now both the English & French are on the same Side.

To the 2d: As to Trade, they know 'tis the Method of all that follow it to buy as Cheap and sell as dear as they can, and every Man must make the best Bargain he can; the Indians cheat the Indians & the English cheat the English, & every Man must be on his Guard.

As to Rum, we have made divers Laws to prohibit it, & made it lawfull for an Indian to stave all the Rum that is brought to them, for they carry it privately out of Town without the Governours Knowledge; But the Indians are too fond of it themselves, they will not destroy it. We desire them not to seize any for that is not lawfull, but that they would break the Casks and destroy it.

To the 3d: They may assure themselves that the English ever have been & are their constant Friends. & therefore that they have nothing to fear from their Fortifications; Of those made by the ffrench, that they are so remote from us that we Know nothing.

To the 4th: We have not hitherto allowed any Settlement to be made above Pextan, but as the young People grow up they will spread of Course, yet it will not be very speedily. The Governour, however, will give orders to them all to be civil to those of the five Nations as they pass that way, tho' it would be better if they would pass Sasquehannah above the Mountains. And the sale of Rum shall be prohibited both there & at Alegany, but the Woods are so thick

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& dark we cannot see what is done in them. The Indians may stave any Rum they find in the Woods, but, as has been said, they must not drink or carry any away.

The Governour added, that as they were now preparing for their Return, and we were to take Leave of each other, He had in consideration that Powder & Lead was of the greatest use to them in their hunting, and that both these were scarce & dear, he had ordered their Quantity to be encreased, then their Rum and Provisions were delivered to them, with a particular Charge that they should not touch with any of their Liquor till after their Departure from hence, for that while they staid they should be provided for here.

They desired the Governour would give them something in writing, desiring the Inhabitants as they pass'd along their Road to be civil to them & assist them with Provisions, which was accordingly ordered to be drawn up for them.

They further requested a Writing to Shew that the Governor allowed them to Stave any Rum they mett with in the Woods, which was promised with this Limitation, that they should not meddle with any Rum they found in any houses whatsoever, and that they should not on any account seize any to drink or carry it away, And with this Caution a Writing was ordered.

At a Council held at Philadelphia, July 20th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Evan Owen, Richard Hill, Clemt. Plumsted. William Fishbourn, } Esq'rs.

The Governour acquainted the Board, that he had called them together to consider of a Petition he had received of one Robert Duckett, now under Confinement in Philadelphia Goal for the murder of one John Evans, on board the Ship ———, in the Bay of Honduras, praying a Speedy Trial, Which Petition being read, Richard Hill, Esqr., one of the Justices of the Supreme Court, informed the Board that this Petitioner was committed by his Warrant for the said Murder, which upon examination he had confessed, at the same time declaring it was wholly accidental & not of Design.

The Board taking the same into serious Consideration, and it appearing doubtfull whether the Fact is cognisable by our Courts of Justice, the same being committed on the high Seas, are of opinion, that the Attorney General lay this matter before the Justices of the Supreme Court, & acquaint them with the Application now made to this Board, that they may come to some Resolution herein.

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At a Council held at Philadelphia, August 15th, 1727.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Samuel Preston, Richard Hill, William Fishbourn. Isaac Norris, } Esquires.

The three following Bills were this day sent up from the House of Representatives, vizt:

AN ACT for establishing a Ferry from the City of Philadelphia, to the landing at or near the House of William Cooper, & another from or near the City bounds to Gloucester, in New Jersey.

Upon reading which, it was observed, that the Appointment of Ferries over Great Rivers being a part of the Prerogative, is therefore lodged in the Proprietor, and that tho' divers Ferries have been appointed by Acts of Assembly, yet the Grant was always to some person named in the Act who was thereby made the object of the Governour and Assemblys Favour. That the Ferries to be established by this Act may properly enough come under the Cognisance and Direction of the Corporation, seeing the Ferry to and from Gloucester chiefly regards the City as well as that to Coopers; But that it would be very improper to vest the County Commissions with this Power over Ferries, who are only appointed for some services incumbent on each County respectively to discharge, and therefore that if no particular Person is mentioned in the Act, and if it may not be managed by the Corporation, the same will more naturally fall under the Direction of the Governour and Council, who have the sole Power of establishing all the greater Roads.

And an Amendment was drawn up accordingly.

AN ACT more effectually to prevent unfair Practices in the packing of Beef and Pork for Exportation.

It was proposed as an Amendment to this Bill, that the barrel of Pork should contain 31½ Gallons, in Conformity to the English Standard, and the Practice of our neighbouring Government of New York. It was likewise considered, that the Fee to the Officer appointed by this Act is too high, for that one shilling or fourteen pence at most may be a sufficient Fee for packing, salting and brandirg, or for opening, repacking, and branding one Barrell.

And an Amendment was ordered accordingly.

A Supplementary Act to the Act for ascertaining the number of Members of Assembly, and to regulate Elections.

To which an Amendment was drawn up and agreed to in the following Words:

" The House undoubtedly proposes by this Act to supply what is " deficient in the first recited Act of the 4th of Q. A.; But on a care- " ful Review of that act, and this Supplement proposed there appears " this great Defect.

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" The Act in force very carefully provides, that no Person shall " under the Penalty of Five pounds Vote for Assembly men, but " such as are qualified as that Act directs, and to the End that no " Person be admitted to vote but such as the Inspectors Know to be " thus qualified; It is provided, that every Elector, before he be ad- " mitted to poll, shall take a solemn Affirmation prescribed by the " Act if required by any of the Inspectors, but the Inspectors neither " are required, nor duly empowered by the Act to administer any " such Oath or Affirmation.

" Therefore, as this has probably been overlooked by the House, " and as loud Complaints have been made of Persons being frequent- " ly admitted in some Places to vote, who by Law have no Right, the " following Amendment is proposed.

" And the said Inspectors are hereby authorized & required to " administer to every Elector or Person who presents his Tickett for " electing Representatives to serve in Assembly, an Oath or Affir- " mation, in the words directed by the aforesaid Act of the 4th of " Queen Anne, vizt: that such Elector is of twenty one years of " age, and a Freeholder, &c., unless the Qualification of such Elec- " tor be generally well Known, or some one or more of the Inspec- " tors shall or will openly declare to the rest, that they Know such " Elector to be qualified as aforesaid; And the Votes or Tickets of " such as offer to poll & refuse to take the said Oath or Affirmation " shall be openly rejected; And the Vote or Ticket of every Person " who takes the said Oath or Affirmation shall be putt in the Box, " and no Ticket so received shall be suppressed.

" It is further proposed, that as the Inhabitants of Philadia. County " & City are more numerous than those of the other Counties, that " more Inspectors should be appointed for the said County & City, " vizt: Eight in Number."

And the said Bills, with the Amendments, were ordered to be returned to the House.

At a Council held at Philadelphia, August 18th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, Clement Plumstead. }

A Bill, Entituled An Act for establishing Courts of Judicature in this Province, being sent up by the House, was read, To which the following Clause concerning Appeals, contained in a late Instruction from His Majesty, was proposed to be added as an Amendment, to which the Board agreed, & the same is as followes.

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" And Execution shall be suspended until the final Determination " of such Appeal, unless good & suffiient Security be given by the " Appellee to make ample Restitution of all that the Appellant shall " have lost by means of such Judgement or Decree, in case upon the " Determination of such Appeal, such Decree or Judgement should " be reversed & Restitution awarded to the Appellant."

Then the Governour acquainted the Board, that he had received from Mr. Moore, Collector of the Customs a Proviso to be added to the said Bill, which the Collector conceives to be for His Majesties Interest, and therefore His Honour now recommended it to their Consideration, which being read, is as followes:

" Provided always and be Enacted by the Authority aforesaid, " that all Actions, qui tam Suits, Informations and Prosecutions what- " soever, wherein the Kings Majesty, his Heirs or Successors, is or " shall be anyways interested or concerned, shall and may be com- " menced, sued or prosecuted originally in the Supreme Court of this " Province, any thing herein, or any Law, Usage or Custom to the " contrary notwithstanding."

Hereupon most of the Members observed, that it would be in vain to offer the same to the House, because the Chief Design of this new Bill being to take away from that Court all Power of issuing Original Writts, which Power by a former unanimous Resolve of the House was adjudged not to be in the said Court, even by the former Act, it being only designed as a Court for redressing the Errors, &c. of other Courts, and from the Sentence of which there lies no Appeal, but to the King, therefore the Clause now offered seemed very improper, But upon the Governours pressing that the same should at least be laid before the House, the Board agreed thereto, &

Ordered, that the Bill be returned to the House with the foregoing Amendment & the Clause offered by Mr. Moore.

—

EODEM DIE, P. M.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

And the same Members as in the Forenoon.

The House of Representatives waited upon the Governour according to order, and presented for his Approbation the three following Bills, vizt:

AN ACT more effectually to prevent unfair Practices in the packing of Beef and Pork for Exportation.

A SUPPLEMENTARY ACT to the Act for ascertaining the Number of Members of Assembly and to regulate Elections.

AN ACT for establishing a Ferry from the City of Philadelphia to the landing at or near the House of William Cooper, & another from or near the City bounds to Gloucester, in New Jersey.

To which the Governour gave his Assent & passed them into Laws of this Province, and Ordered the same to be sealed & published.

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At a Council held at Philadelphia, August 25th, 1727.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Richard Hill, Samuel Preston, William Fishbourn, Clement Plumstead. } Esq'rs.

A Bill this day sent up from the Assembly was read, vizt:

A Supplement to the Act for taking Lands in Execution for the Payment of Debts, which with the following Amendment made thereto was ordered to be returned to the House.

" The Plaintiff or Person, in whose behalf Execution was levied, " may apply to the Court of Common Pleas for the County, where " Judgement was obtained & sett forth to them, his Case with the " Reasons why his Title was not duely perfected by the preceeding " or former Sherif; And the said Court may thereupon, as they " shall see Cause, and as Justice & Equity shall require, Order and " direct the Sherif for the time being to compleat any such Title & " execute such Deeds as aforesaid, and upon such order obtained as " aforesaid and entered on the Records of the Court, It shall and " may be lawfull, &c."

The Provincial Treasurer exhibited to the Board an account of Charges of the late Treaty with the Indians of the five Nations, at which above forty Persons were entertained from the 28th of June to the 9th of July, and of the Presents then made to the Indians, amounting in the whole to Eighty four Pounds five shilling one penny half penny, And the Presents made by the Indians, sold by the Treasurer, amounting Twelve pounds twelve shillings and six pence, the Balance remaining is Seventy one Pounds twelve shillings seven pence half penny; Which Account the Board examined & approved, and recommended the same to the Assembly for Payment.

At a Council held at Philadelphia, August 26th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Richard Hill, Samuel Preston, William Fishbourn, Clement Plumsted. } Esq'rs.

The House of Representatiees waited on the Govr. according to order, and presented the two following Bills for his Approbation, vizt:

An Act for establishing Courts of Judicature in this Province.

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A SUPPLEMENT to the Act for taking Lands in Execution for the Payment of Debts.

To which the Governour gave his Assent and pass'd them into Laws, and Ordered them to be sealed and published.

Then the Speaker, after presenting the Governour with a Bill drawn on the Provincial Treasurer for £500, as the Support for the remaining part of the current year, acquainted him that the House was desirous the Governour would pay the Indians a Visit as usual, as soon as his Health & Conveniency would permitt; To which the Governour answered, that he would be always ready to doe what lay in his Power to keep up a good Correspondence with the Indians, and for that End intended to visit them next Summer, and that as they expect the usual Presents on these occasions, he hoped the House would take care to make suitable Provission for the Charges of the Journey.

The Governour then took occasion to acquaint the House, that several Indians from the five Nations had been here in July last to visit him, who had been entertained twelve Days & had received some small Presents, an Account of the Charges of which, as exhibited by the Provincial Treasurer, had been approved by the Board, & therefore recommended it to the house to order the Payment thereof. After which, the Governour having thanked them for the Provision they had made for his Support, the House withdrew & the Council adjourned.

At a Council held at Philadelphia, August 31st, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieutenant Governour.

James Logan,	Samuel Preston,	Esq'rs.
Richard Hill,	William Fishbourn,	
Isaac Norris,	Clement Plumstead.	

The Governour acquainted the Board, that the News of the Death of His Majesty King George, and of his Royal Highness the Prince of Wales being proclaimed King, seemed now to want no further Confirmation, it appearing true by several Accounts from London, as well as the printed Proclamation from New York and Boston; And that therefore he had given Notice to the Mayor & Commonalty of this City, of his Intentions this day to proclaim here His said Royal Highness King of Great Britain, &c., and expected that the Members present would likewise give their Attendance on this occasion, that the Ceremony might be performed with all suitable Solemnity.

To which the Board unanimously agreed & desired the Governr. would give the necessary Orders therein, and that they were ready to attend him.

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At a Council held at Philadelphia, Septemr, 1st, 1727.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, William Fishbourn, } Esq'rs.
Isaac Norris, Clement Plumstead. }
Samuel Preston,

After the Governour had acquainted the Board, that yesterday His Royal Highness George, Prince of Wales, had been publickly proclaimed here King of Great Britain, &c., by the Name of George the Second, with the Solemnity and Ceremony suitable on that occasion, His Honour took the Oaths, and the several Members present the Affirmations of Allegiance & Fidelity to his said Majesty & Abjuration of the Pretender, as did likewise the Clerk of the Council.

The Governour then desired the Advice of the Board, whether His Majesty should be proclaimed in each of the three lower Counties upon Delaware, or whether it would not be sufficient if it was only done at Newcastle, seeing that Place is reputed the Seat of Government of these Counties.

The Board is of opinion that it is sufficient if done at Newcastle.

After which the Governour took Occasion to inform the Board, that the uncertain State of his Health would not allow him to make Journey hither as he had intended, but that however he would give the necessary Directions to the Gentlemen of the Magistracy there.

It was then proposed to renew the several Commissions of the Supreme Courts, and of the Peace, for the Province and Counties in His present Majesty's Name, which being by the Board approved of, It's ordered, that new Commissions be forthwith issued in his present Majestys Name to the same Judges and Justices named in the Commissions now subsisting, leaving out those of them that are dead, & adding James James to the Commission of the Peace for the County of Chester, whom the Board held proper to be Commissionated a Justice of that County.

Samuel Preston, Esqr., one of the Members present, moved that his Name might be left out of the Commission of the Peace for Philadelphia County, because his Affairs would not allow him to give the necessary Attendance, Which was conceded to.

At a Council held at Philadelphia, September 14th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, Clement Plumstead. }
Isaac Norris,

The Governour acquainted the Board, that he had called them together at this time to inform them that there is lately arrived from

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Holland, a Ship with four hundred Palatines, as 'tis said, and that he has information they will be very soon followed by a much greater Number, who design to settle in the back parts of this Province; & as they transport themselves without any Leave obtained from the Crown of Great Britain, and settle themselves upon the Proprietors untaken up Lands without any Application to the Proprietor or his Commissioners of Property, or to the Government in General, it would be highly necessary to concert proper Measures for the Peace and Security of the Province, which may be endangered by such Numbers of Strangers daily poured in, who being ignorant of our Language & Laws, & settling in a Body together, make, as it were, a distinct People from his Majesties Subjects.

The Board taking the same into their serious Consideration, observe, that as these People pretended at first that they fly hither on the Score of their religious Liberties, and come under the Protection of His Majesty, its requisite that in the first Place they should take the Oath of Allegiance, or some equivalent to it to His Majesty, and promise Fidelity to the Proprietor & obedience to our Established Constitution; And therefore, untill some proper Remedy can be had from Home, to prevent the Importation of such Numbers of Strangers into this or others of His Majesties Colonies.

'Tis Ordered, that the Masters of the Vessells importing them shall be examined whether they have any Leave granted them by the Court of Britain for the Importation of these Forreigners, and that a List shall be taken of the Names of all these People, their several Occupations, and the Places from whence they come, and shall be further examined touching their Intentions in coming hither; And further, that a Writing be drawn up for them to sign declaring their Allegiance & Subjection to the King of Great Britain & Fidelity to the Proprietary of this Province, & that they will demean themselves peaceably towards all His Majesties Subjects, & strictly observe, and conform to the Laws of England and of this Government.

At a Council held at the Courtho. of Philadia., Septemr. 21st, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, }

A Paper being drawn up to be signed by those Palatines, who should come into this Province with an Intention to settle therein, pursuant to the order of this Board, was this day presented, read & approved, & is in these Words:

We Subscribers, Natives and late Inhabitants of the Palatinate upo the Rhine & Places adjacent, having transported ourselves and Families

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into this Province of Pensilvania, a Colony subject to the Crown of Great Britain, in hopes and Expectation of finding a Retreat & peaceable Settlement therein, Do Solemnly promise & Engage, that We will be faithfull & bear true Allegiance to his present MAJESTY KING GEORGE THE SECOND, and His Successors Kings of Great Britain, and will be faithfull to the Proprietor of this Province; And that We will demean ourselves peaceably to all His said Majesties Subjects, and strictly observe & conform to the Laws of England and of this Province, to the utmost of our Power and best of our understanding.

A Signed List was then laid before the Board, of the Names of one hundred & nine Palatines, who with their Families, making in all about Four hundred Persons, were imported into this Province in the Ship William and Sarah, William Hill, Master, from Rotterdam, but last from Dover, as by Clearance from the Officers of his Majesties Customs there; And the said Master being asked, if he had any License from the Court of Great Britain for transporting those People, & what their Intentions were in coming hither, said that he had no other License or Allowance for their Transportation than the above Clearance, and that he believed they designed to settle in this Province. They were then called in, and the several Persons whose Names are subjoyned did repeat & subscribe the foregoing Declaration, vizt:

G. M. Wey, V. D. M.,
Hans Jerig Siegler,
Jacob Gons,
Hans Jorig Swab,
Michael Peatley,
Unicus Meyer,
Hans Martin Lerystein,
Hans Michael Fiell,
Hans Jerig Hereylf,
Abraham Beni,
Jacob Josi,
Hans Bernard Wolf,
Frederick Heiligas,
Andrew Simmierman,
Philip Feruser,
Hans Michael Pagman,
Hans Serick Wigler,
Hans Filkisynger,
Sebastian Creef,
Hans Adam Milder,
Hans Jerig Wolf,
Johan Habaraker,
Anspel Anspag,
Hans Jerig Bowman,
Alexr. Diebenderf,
Hendrick Meyer,
Hans Jerig Anspag,
Philip Sroygar,
Elias Meyer,
Johannes Leyb,
Hans Jerig Milder,
Pastor Springler,
Hans Martin Wilder,
Martin Prill,
Peter Seytz,
Johannes Ekman,
Johannes Berret,
Andrew Holtspan,
Tobias Frye,
Joseph Welbrogt,
Jacob Meyer,
Abraham Thurn,
Hans Jerig Wiegle,
Hans Jerig Cnemen,
Hans Jerig Reter,
Diodorick Roida,
Philip Jacob Reylender,
Ernest Roade,
Philip Siegler,
Rudolph Wilke.

Sundry of these forreigners lying sick on board never came to be qualified.

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At a Council held in the Courtho. of Philadia., Septemr. 27th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan, Isaac Norris,
Richard Hill, Saml. Preston. } Esq'rs.

A List was presented to the Board of the Names of Fifty three Palatines, who with their Families making in all about two hundred Persons, were imported into this Province in the Ship James Goodwill, David Crockat, Mr., from Rotterdam, but last from Falmouth, as by the Masters Affidavit signed by the Officers of the Customs there, It appeared upon Enquiry that the Master had no particular License for their Transportation. They were then called in, and the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the preceeding Minute, vizt:

Michael Sigrist,
Michael Tanner,
Joseph Schurgh,
Hans Haggy,
Jorgan Miller,
Hans Leaman,
Hans Langneker,
Hendrick Aberlee,
Raynard Jung,
Jacob Wygart,
William Wygart,
Tewalt Leatherman,
Hans Michael Kuntz,
Jurg Michael Kuntz,
Ulrick Stoupher,
Ulrick Zugg,
Peter Zugg,
Barthol Sigrist,
Abraham Abaersoll,
Jacob Fritz,
Adam Kiener,
William Kiener,
Hans Kiener,
Christian Webber,
Hans Michl. Fredler,
Philip Schaberger,
Hendrick Wolfe,
Jurg Steiniger,
Joseph Clap,
John Adam Philple,
Jurgh Clap,
Lodowick Clap,
Christian Miller,
Jurgh Coch,
Jacob Walter, Senr.,
Jacob Walter, Junr.,
Christopher Kirkhof,
Hendrick Schultz,
Jacob Siegle,
Jacob Gass, Senr.,
Jacob Gass, Junr.,
Frederick Gass,
John Miller,
Joseph Miller,
Hans Miller,
Hans Foster,
Jacob Arnett,
Paul Hein,
Hans Hein,
Bastian Meree,
Michael Lybert,
Jurgh Zengh,
Jacob Ganwyer.

Mr. Logan acquainted the Board, that last night he received a Letter from John Wright, Esqr., one of the Justices of Peace of Chester County, giving Account that one Thomas Wright was killed by some Indians at Snaketown, forty miles above Conestogoe, which Letter, together with the Depositions of John Wilkins, Esther Burt and Mary Wright, and an Inquisition taken upon the dead Body were all laid before the Board.

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The said Depositions being read, sett forth, that on Monday the Eleventh of this instant, September, several Indians, together with one John Burt an Indian Trader, and the said Thomas Wright, were drinking near the House of said Burt, who was Singing and dancing with the Indians after their manner, that some Dispute arising between one of the Indians and the said Wright, Burt bid Wright knock down the Indian, whereupon Wright laid hold of the Indian but did not beat him, that afterwards Burt struck the Indian several Blows with his Fist, that the said Wright and Burt afterwards retired into the House where the Indians followed them and broke open the Door, that while Wright was endeavouring to pacify them Burt called out for his Gun, & continued to provoke them more and more, That hereupon the said Wright fled to the Henhouse to hide himself whither the Indians pursued him, and next morning he was there found dead. The Inquisition on the Body setts forth, that the said Wright came to his Death by several Blows on his Head, Neck and Temples, which the Jurors say, they believe, were given him by the Indians.

Jonas Devenport, who brought this Account, & was one of the Inquest, being called in and examined, says, that he was informed by credible People living near the Place where the Murther was committed, that John Burt sent for Rum to the Indians which they drank, and that he afterwards sent for more, that a Dispute arising between Burt & the Indians, the said Burt fill'd his hands with his own Dung and threw it among the Indians; that it is generally believed if Burt had not provoked & abused them to so high a Degree the matter might be made up amicably, and that tho' it's very certain the Indians killed Thomas Wright, yet that the said Burt was the principal occasion of it. Being likewise examined of what Nation these Indians are, says, they are of the Munscoes Indians, who live on an Eastern Branch of Sasquehannah.

The Members of the Board observed, that this was the first Accident of the Kind they had ever heard of in this Province since its first Settlement; And that tho' the Indians, who committed the Fact, had received very high Provocations, yet as a subject had lost his Life, It is absolutely necessary the Government should take Notice of & move in it, for that notwithstanding it will be difficult, as the Fact was circumstanced to call these Indians regularly to an Account, yet some proper measures ought to be taken to make the Indians in general sensible of the Outrageousness of the Action, & to oblidge them to make such Satisfaction as the nature of the Case will admit of. It was hereupon further observed, that this Governmt. had been formerly happy above most of our Neighbours, in preserving a good understanding and an uninterrupted Friendship with all our Indians, which was effected by the just & oblidging Measures our late Proprietor first took with them, by which he had greatly endeared them to himself and to this Government, & the Same Methods had been for Years constantly continued by Treaties with them, held

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at a small Expence, for that the whole Charge, one year with another, had not exceeded the Allowance of Fifty Pounds pr. annum, which the Assemblies from time to time had formerly granted; But that now for six years past, vizt: the five last years of the late Administration, & one Year since the present Governours arrival, we have had no manner of Treaty with our own Indians, upon which they think themselves slighted, & have complained of it on divers occasions; That the late Assembly also, being sensible of this, by their Speaker accompanied by the whole House, when the last Bills were pass'd, had signified to the Governour that the House was desirous a visit should be paid the Indians as usual, & it was hoped, when the Season of the year would admit of it, Care would be taken to doe it, for which the Ensuing House would undoubtedly make a suitable Provision, since the late one of their own motion thought fitt to make such an Application.

It was also observed that this unhappy Accident, occasioned by an Indian Trader, who in pursuance of the Law in being for regulating the Indian Trade, had last year obtained a Recommendation from Chester Court for a License clearly shews the Necessity of having that Trade, and the Qualifications of the Persons admitted to it more narrowly inspected, than is at present provided; for that tho' this Burt had been recommended for a Licence, it was scarce possible to find a man in the whole Government more unfitt for it; That it is manifest this Misfortune was owing principally to furnishing the Indians with Rum, and that tho' the Law is very severe against the Practice, yet now that Liquor is once more become the principal Article in some People's Trade with them, to the great Scandal, as well as Insecurity of the whole Governmt. against which, unless some more effectual Provision is made, the publick Tranquility will ever be in Danger; All which is submitted to the Governours Consideration.

The Fact under Consideration being further entered on, It is Resolved, that the Indians being at this time generally abroad on hunting nothing can be done with them till Spring, but that then it will be necessary to treat with them upon it. In the mean while, that it will be requisite that Burt should be apprehended & secured, and 'tis Ordered, that the Matter be recommended to the Chief Justice, that he may issue his Warrant for the taking of him.

At a Council held at the Courtho. of Philadia., Septr. 30th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr. Lieut. Govr.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, Clement Plumsted. }

A List was presented to the Board of the Names of Seventy Palatines, who with their Families, making in all about Three hundred

Persons, were imported in the Ship Malley, Jno. Hodgeson, Master, from Rotterdam, but last from Deal, as by a Clearance from the Officers of the Customs there, It appeared upon Enquiry that they were come hither with an Intention to settle in this Province, and that the Master had no Special License for their Transportation. They were called in, and the Persons whose names are subjoyned, did repeat and Subscribe the Declaration inserted in the Minute of the 21st Instant, viz:

Hans Erick Ower,
Francis Stouper,
Hans Stouper,
Hans Jacob Bender,
Michael Spooner,
Hans Erick Keel,
Hans Erick Heyriger,
Lutterick Vellerey,
Hans Ower Parent,
Letterick Pieter,
Hans Adam Soulder,
Hans Michael Smith,
Johannes Sneyder,
Andreas Elicks,
Porcas Hoffman,
Felix Goadts,
Johannes Crowse,
Weyan Teale,
Michel Sebastian,
Augustin Weder,
Mans Lenord Hoffman,
Hans Teyger,
Martin Hosuer.
Hendrick Penhort,
Hendrick Fultz,
Hans Erick Teluer,
Merick Foux,
Stephanus Raper,
Erick Lutwich Zell,
Samuel Baire,
Hans Rinck,
Hans Erick Sheillinberg,
David Marten,
Jacob Marten,
Henrick Hoffman,
Jost Moyser,
Christian Moyser,
Ulrick Sheillinbergen,
Michel Schenk,
Christian Waltone,
Hans Moyser,
Hans You,
Jacob Shir,
Hans Erick Crable,
Henrick Meyer,
Michel Crable,
Samuel Overhoulster,
Felton Younge,
Jacob Roust,
Hans Cooble,
Jacob Baer,
Hans Funck,
Michel Frances,
Peter Goadts,
Christian Solderman,
Samuel Goad,
Jacob Hower,
Rodulph Landish,
Rodulph Baine,
Martin Kindegy,
Jacob Wanner,
Orick Leepe,
Christian Willand,
James Miller,
Martin Kearstucker,
John Mather Euger,
Johannes Pealer,
Hans Miller,
Hans Mickle,
Hans Erick Felter.

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At a Council held at Philadelphia, October 2d, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, Clemt. Plumsted, Willm. Fishbourn, } Esq'rs.

A List was presented to the Board of Fifty three Palatines, who with their Families, making in all about one hundred and forty Persons, were imported in the Ship Adventure, Jno. Davies, Master, from Rotterdam, but last from Plymouth, as by Clearance from the Officers of the Customs there, It appeared upon Enquiry that the Master had no particular License for their Transportation. They were then called in, & having declared that they intended to settle & live peaceably in this Province, the several Persons whose names are Subjoyned, did repeat & subscribe the Declaration inserted in the Minute of the 21st of September last, viz:

Michael Miller,
Joannes Radler,
Joannes Layman,
Casper Veye,
Jacob Lydie,
Jacques Simonel,
Michael Keysar,
Joannes Ulrick,
Hans Adam Oser,
Peter Shilling,
Mathias Ryseling,
Jacob Bowman,
Peter Roole,
John Seyham,
Frans Baltzar Frans,
Joannes Cortes,
Nicolas Crou,
Palzer Lyme,
Jacob Wihelmus,
Ulrick Ryser,
Joan Carlo Horlaeker,
Nicolas Keysar,
Johannes Peter Hoff,
Christopher Ulrick,
Christian Bikler,
Johan Jacob Hoffman,
Daniel Bowman,

At a Council held at Philadia., October 4th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, Isaac Norris, Samuel Preston, Richard Hill, Clement Plumsted. } Esquires.

The Governour laid before the Board the several Returns of Sheriffs & Coroners, elected this present year for the respective Counties of this Province, & desired the Advice of the Members present in his Nomination, which is as followes:

For Philadia. City & County: Owen Owen & Isaac Leech being returned for Sheriffs, and Joshua Fincher & Jacob Leech for Coroners, Owen Owen is appointed Sherif, & Joshua Fincher Coroner.

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For Chester County: John Taylor & Philip Taylor being returned for Sheriffs, and Abraham Darlington & Jno. Mendenhall for Coroners, John Taylor is appointed Sherif & John Mendenhall Coroner.

For Bucks County: Thomas Biles & Joseph Lupton being returned for Sherif, & Jonathan Woolston & William Atkinson for Coroners, Thomas Biles is appointed Sherif & Jonathan Woolston Coroner.

And Commissions are accordingly ordered to the said Persons for their respective Offices, the Sheriffs giving Security in the Rolls Office as the Law directs.

The day following out of Council, Returns being made of the Elections of Sheriffs & Coroners for the Counties of Newcastle, Kent & Sussex upon Delaware, the following Persons were appointed.

For Newcastle County: John Gooding and William Battell being returned for Sheriffs, and Morgan Morgan & Joshua Story for Coroners, John Gooding is appointed Sherif & Morgan Morgan Coroner.

For Kent County; William Rodeney & Thomas Skidmore being returned for Sheriffs, & Samuel Berry & Edward Jennings for Coroners, Thomas Skidmore is appointed Sherif & Samuel Berry Coroner.

For Sussex County; Rives Holt & Peter Adams being returned for Sheriffs, and Samuel Davies and John Russell for Coroners, Rives Holt is appointed Sherif & Samuel Davies Coroner.

At a Council held at Philadia., October 14th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, Clement Plumsted. }

The Representatives of the Freemen of this Province elected the 1st instant, being this day mett in Assembly, in pursuance of their Charter & the Law in that case made & provided, waited on the Govr. to present to him their Speaker.

And accordingly David Lloyd, Esquire, addressing himself to His Honour, acquainted him that the House had been pleased to chuse him to be their Speaker, but hoped the Govr. would recommend to them another Choice, there being so many other Persons of greater Abilities for that Office; To which the Governour answered that He would always have a great Regard for the Houses Choice, & therefore could not but approve of their present one.

Then the Speaker, in the Name of the House, desired that the Governour would protect them in their Rights & Privileges, putt a favourable Construction on their Proceedings, and grant the Members of Assembly free Access to His Presence, when sent to him by the House, Which the Governour very readily promised, & then the House withdrew.

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At a Council held at the Courtho. of Philadia., Octr. 16th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, William Fishbourn, Samuel Preston, Clement Plumsted. } Esquires.

A List was presented to the Board of the Names of Forty six Palatines, who with their Familes, making in all about Two hundred Persons, were imported here in the Ship Friendship of Bristol, John Davies, Mr., from Rotterdam, but last from Cows, as by Clearance from the Officers of the Customs there, bearing date the 20th day of June last, It appeared upon Enquiry that there was no Special License granted for their Transportation, & that they are come hither with a Design to settle in this Province. They were then called in, & the several Persons whose names are subjoyned did repeat & sign the Declaration inserted in the Minute of the 21st of September last.

Peter Tagman,
Joannes Forrer,
Andreas Swartz,
Henry Strickler,
Jacob Histant,
Jno. Histant,
Abraham Swartz,
Christian Meyer,
Joannes Feyseg,
Peter Pixseler,
Hans Reser,
Peter Leeman,
Hans Jerig Lowman,
Christian Crorebit,
Martin Schaffenes,
Henry Lier,
Adam Lepert,
Hillis Castle,
Jerem Miller
Albrecht Bowman,
Hans Jerig Miller,
Nicholas Bogart,
Hans Jerig Hoffman,
Nicholas Crosman,
Mathias Swyzer,
Peter Wilde,
Jacob Sneppelen,
Philip Reemer,
Palatine Gratz,
Henry Sneppeley,
Vincent Mayer,
Henry Schenholl,
Joannes Hosle.

At a Council held at Philadia., October 19th, 1727.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, Richard Hill, Clement Plumsted. Isaac Norris, } Esq'rs.

The Governour informed the Board, that the Assembly of this Province had lately drawn up an Address to His Majestie, on His happy Accession to the Throne of Great Britain, in which he would have concurred had the House been willing to have made some Alterations in the Stile & manner thereof, which he conceived was not so proper from him.

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And therefore said, he was now to propose an Address in his own & the Name of this Board, as a Mark of their Loyalty & Affection to His Majesties Sacred Person & Government, a Draught whereof he had prepared, & hoped the Board would agree thereto, which being read, is in these words.

" TO HIS MOST EXCELLENT MAJESTY GEORGE THE " SECOND, by the Grace of God, King of Great Britain, France & " Ireland, Defender of the Faith, &c.

" The Humble Address of the Lieutenant Governour of the Pro- " vince of Pensylvania, & Counties of Newcastle, Kent & Sussex " upon Delaware, and Council of the same.

" MOST GRACIOUS SOVEREIGN:

" Tho' the peculiar Indulgence of Heaven to the British Nation, " in calling the most Illustrious House of Hannover to the Posses- " sion of its Throne, could not but deeply affect with the Sincerest " Gratitude every honest Subject, who had the Safety, true Interest, " & Honour of their Country at heart, in being made Sharers of so " continued a Series of Blessings Showr'd down on them thro' the " wise & just Administration of Your Royal Father; Yet with Hearts " more dilated & Joy more extensive, do we behold His Royal Issue " in Your Majestys Sacred Person succeed to the same Throne, as " the Surest Pledge of the Divine Will to perpetuate with a happy In- " crease, the same Mighty Blessings to all the British Dominions, " in Yourself and Your Posterity forever.

" Your Majestys most Consummate Prudence so largely shewn in " your whole Conduct, while only our Prince, and that Cordial Af- " fection, yourself & most Excellent Consort on all occasions expressed " to those over whom Heaven designed you should reign, together " with the repeated Assurances You were graciously pleased to give, " by the first & earliest Opportunities of your Purpose to make the " Happiness of your People the only Rule of your Government, " must so firmly unite the Hearts of all your Subjects to your Sa- " cred Person, & so fill them with Excess of Joy, that nothing can " add to their present Happiness, but the just Hope & Expectation " that every Day, under so auspicious a Reign, will administer fresh " Occasions to strengthen & yet more firmly established the same.

" Of these inestimable Blessings, dispensed by Divine Providence " through Your Royal Hands from the Treasuries of Heaven, whose " infinite Goodness therein We most humbly & gratefully adore; " We in the Recess of your Dominions being duly Sensible, tho' in " a remote Sphere, yet with Hearts as Loyal and full of a sincere " Affection as can animate those who move in the nearest to your " Glorious Rayes, doe gladly Embrace this Opportunity, by the only " Method in our Power to lay ourselves at your Royal Feet, & with " Hearts prostrate to Heaven implore the Sole Fountain of all Bles- " sings to pour down the Choicest, the best & most solid on your " Sacred Head, on your beloved Consort our Gracious Queen, &

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" those darling Pledges of Your Mutual Affection & of the Nations " Happiness, Your Royal Issue, of whom We heartily pray there " may never be wanting one equally stock'd with the Vertues of the " August Hannoverian Family in all Ages to come to strengthen & " adorn the British Throne."

The Board unanimously concurred with the Governour in the sense & meaning of the said Address, and only excepted to the Stile & Language as improper to their Profession to use. The same was then ordered to be transcribed & signed by the Governr., who undertook to transmit it by the first opportunity.

At a Council held at Philadia., Janry. 23d, 1727–8

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Samuel Preston, William Fishbourn, Clement Plumsted, } Esq'rs.

The Governour laid before the Board a Speech in Writing wch he intended to make to the House of Representatives, & desired the opinion of the Council thereupon, Which was approved of by the Board, & the House of Representatives being sent for, attended with their Speaker, to whom the Governour spoke as follows:

" Mr. Speaker & Gentlemen of the House of Representatives:

" At your first Meeting after the Election, you had the opportunity " of expressing your Zeal & Affection, in the Name of the Inhabi- " tants of this Province, to His Most Excellent Majesty King George " the Second, upon His Happy Accession to the Throne of His Royal " Ancestors; And now being mett on your Adjournment from that " time to proceed on the Business of the Country, I must in the first " place give both myself & you the Pleasure of observing the Har- " mony & Unanimity, which have appeared amongst People of all " Ranks on that great occasion, where the only Contention is, who " shall be most forward in expressing an entire Satisfaction in that " happy Establishment to which they owe every thing that's dear to " a free People, with a full Dependance on His Majesty's Care for sup- " porting them in their highest & greatest Concerns; And as this " certainly procures Peace at home, & will best secure the British " Interest abroad, it may justly be looked upon as the happy Presage " of a Reign equally glorious to His Majesty, and beneficial to all " His Subjects.

" And therefore I shall not in the least doubt of our following this " great Example of our fellow Subjects at home, in pursuing the " Ways of Peace, Concord & Amity, as the only sure means of pro- " curing and continuing to ourselves and Posterity a solid & lasting " Blessing on our honest Endeavours.

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" My Conduct hitherto, I am perswaded, will witness for me, that " I have no private Views of my own nor Ends to gain, and that I " have had nothing more at heart than the real Interest of the Colony. " Were not this my indispensible Duty, as well as Inclination, I am " strictly enjoyned by our worthy Proprietors to do every thing that " lies in me to promote the true Interest of the Province; And I take " this opportunity again to assure you, I shall always, while I have " the Honour to be at the Head of the Administration, find a most " sensible Pleasure in concurring with you in every thing that may " conduce to the true Benefit & Advantage of the good People you " represent.

" What the Service of the Publick requires will naturally fall " under your Notice, I shall only here recommend to you Unani- " mity & Dispatch in all your affairs, & what further may occur " shall be communicated to your House by Message."

The Governour then acquainted the Speaker, that he had taken Care to forward the Houses Address to His Majesty by the first opportunity after their last Sessions, And the Speaker having obtained a Copy of the foregoing Speech the House withdrew.

At a Council held at Philadelphia, April 2d, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

William Fishbourn, Clement Plumsted, } Esq'rs.

Present also, at the Governours Desire, Thomas Laurence, Esqr., Mayor of the City, & Andrew Hamilton, Esquire, Recorder.

The Governour acquainted the Board, that two Ships being lately arrived in this River, from Bristol in Great Britain, vizt: the Dorothy, John Bedford, Master, & the Pharoah, Thomas News, Master, with several Passengers on board, and a Report having been spread that several Persons had died on board the Ship Dorothy of a malignant Fever, he had given orders that both the said Vessells (as coming from the same Place) should not come near this City, until they were first visited; And that by a Warrant under his hand & seal, directed to Doctor Thomas Græme & Doctor Lloyd Zachary, Physicians, he had empowered them to visit the said Ships, & make Strict Enquiry into the State & Condition of Health of those on Board & to make Report thereof. And that now the said Physicians having made their Report to him in writing, he had thought proper to call as many of the Council as were in Town, together with the Mayor & Recorder, to lay the same before them for their opinion & advice.

Which Report being read, setting forth, that severals on board the Ship Dorothy had been seized with a malignant Fever, of which

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some were dead, a good many recovered, & a few still ailing, and that they conceived it proper to order a Removal of all such as are in the least ailing into fresh air, with other Conveniences; And further, that having visited the Ship Pharaoh, they find all on board in good Health, And the said Physicians attending were called in, & confirmed their Report, vizt: Dr. Græme on his Oath & Dr. Zachary on his Affirmation, and likewise added, that from what they had learnt of those now sick on board the Ship Dorothy, fifteen Persons had died of this Fever in the Passage.

The Board taking the same into their Serious Consideration, & having perused An Act of this Province, Entituled An act to prevent Sickly Vessells from coming into this Government. ORDERED, that the said Ship Dorothy come not nearer than one Mile to any of the Towns or Ports of this Province, and that the Master or Owners of the said Ship do not presume to land any Goods, Passengers or Sailors, from on board her at Philadelphia, without License first obtained from this Board, under the Penalty in the said Act mentioned; And that the Sheriff of Philadelphia serve the Master or Owners of the said Ship with a Copy of this Order; And further, that the be required to provide some convenient Place at the Distance aforesaid for the Reception of those Persons, who are still sick on board, that proper care may be taken for their Recovery.

'Tis further ORDERED, that the Ship Pharoah be admitted to Enter & Land at Philadelphia the Goods & Passengers now on board her.

At a Council held at Philadia., April 11th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Isaac Norris, William Fishbourn, Samuel Preston, Clement Plumsted. } Esquires.

Upon the application of Mr. Thomas Willing, Merchant, part owner of the Ship Dorothy, and the Report of Doctor Thomas Græme & Doctor Lloyd Zachary, Physicians, setting forth that they had of new visited the said Ship, and that no Person on board had been seized with any malignant Fever since their arrival in this River, (Delaware) and that no Person now on board labours under such Symptoms as can denote him or her at this time affected with the said Distemper, but that all the said Ships Company are now in good Health, with Exception to those concerning whom they made their former Report, who have ever since been seperated from those now on Board.

'TIS ORDERED, that the said Ship Dorothy be allowed to Enter & putt on shore at Philadelphia the Goods & Passengers on board, due

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Care being had, that before the said Vessell come up to Philadia., all the Bedding be putt ashoar at a convenient Distance from the City, there to be aired, and that the said Vessell be smoaked with Tobacco & washed with Vinegar, & that the Bales of woolen Goods on board remain some time exposed to the Air on Deck before landing; and further, that the said Ship ly out in the Stream of the River & not come near any Wharf till she is sufficiently cleansed, of which the Owners & Master are to take Notice and Govern themselves accordingly

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At a Council held at Philadia., April 18th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Samuel Preston, } Esq'rs.
Isaac Norris, Clement Plumsted. }

The Governour informed the Board, that James Letort an Indian Trader, was lately come to town from Chenastry, on the upper parts of the River Sasquehannah, to acquaint this Government with a matter he had been informed of by Mistress Montour, who had married the Indian called Robert Hunter, & was here with her said husband last summer in Company with those of the five Nations who had visited us then, the Import of which is, That the People of the five Nations had sent to the Miamis & Twechtweys, called also the naked Indians, settled at the Western End of the Lake Erie within the french Claims, desiring them to engage and take up the Hatchet of War against the English & Christians, and that the said Letort was now attending, who being called in & examined on Oath, gave the following account.

That intending last Fall to take a Journey as far as the Miamis Indians or Twechtweys, to trade with them, he had corsulted Mrs. Montour a French Woman, Wife to Carondowana, about his Journey thither, who having lived amongst & having a Sister married to one of that Nation, he believed might be a proper Person to advise him, and that she seemed very much to approve of the same, upon which he proposed that she & her husband should goe along with him, which she readily agreed to, and that she appeared very chearfull & desirous to undertake the Journey.

But that having waited long at Chenashy for one who had engaged to accompany him, the Winter Sett in before they could proceed, that the Frost breaking up, he thought it proper to advise with Manawkyhickon, an Indian Chief of Note in those Parts, & acquainted him with his Intention, that he might also have our Indians Approbation, but that the said Chief discouraged him, telling him he might

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happen in his way to see some white Heads, who come to hunt not for Skins but for Flesh & Scalps, that would frighten him, & asked him if he did not know that all these People (the Delaware Indians) who were hunting at Allegany were called home; That talking afterwards with Mistress Montour about their intended Journey, she told him she could not goe with him for that she had heard some News that he was a Stranger to, with which she would acquaint him, but he must by no means lett it be known that she was his Author, & then proceeded to relate to him, That a Delaware Indian Woman, whose son had been killed some time agoe by a Shawenese, had brought Manawkyhickon a long Belt of black Wampum of twelve Rows, desiring that my means thereof her Tears might be wiped away, that Manawkyhickon had sent this black Belt to the five Nations, and that the five Nations sent the same to the Miamies, with a Message desiring to know if they would lift up their Axes, & joyn with them against the Christians, to which they agreed, that hereupon Manawkyhickon had sent four Belts of Wampum to those of his Nation who were abroad hunting, ordering them quickly to return home; And this Examinant further says, that meeting Manawkyhickon again after this Information, he desired that Indian, as his old Friend, to tell him what News he heard or knew, but that he would tell him nothing; that hereupon the Examint. told him what he had heard both of the four Belts sent to our Indians, and of the black Belt sent by the five Nations to the Miamies, at wch the Indian appeared surprized, admiring who could inform him of these things, but that at length He (Manawkyhickon) own to him that both these were true; And this Examinant says likewise, that having acquainted Mrs. Montour with his Design of communicating what she told him to our Governour, they answered he might do so, for it was with that Intention she had acquainted him with it.

The Examinant further says, that this Manawkyhickon was a near Relation of Wequeala, who was hang'd last year in Jersey, that he much resented his Death, & went immediately after to the five Nations, with whom he has long had an acquaintance & Interest, & is great with their People. He adds also, that in the parts where he has been on Sasquehannah, he mett with some Indians of the five Nation lately come from thence, who told him, on his enquiring of them for News, That the French Governour, at his Return to Montreal last year from New York, where he went about the new Fort built by the English near the Lakes, sent for the Chiefs of all the Nations about Canada in Alliance with the French, & told them he wanted them to pull down a certain House that had been lately built, But the Chiefs answered, that could not be his Business with them to pull down a House, if he wanted them to goe to War that he should tell them so. The Governour answered that he could not say that, but would send them to the Chief Govornour at Quebeck, who would give them an answer, that the Governr. of Quebeck received them very kindly, & sent them back with a Letter to the Governour of

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Montreal, who told them on Receipt of that Letter, that they, vizt: the Governours would write to their Master the King of France, & desired the Indians in the mean time to go home & be in a Readiness till the Kings orders came.

This Examinant further says, that enquiring of Allummapees, another Chief of some Indians on Delaware concerning these matters, the said Indian declared he was wholly ignorant of them all, & that he had delivered to the Examinant a small belt of Wampum to be presented to the Governour, which was laid on the Table, as a Token, that neither he nor any of his People knew of any of these Designs. That he had further enquired of some others of our Indians, who made the same Answer, & in like manner had sent the Governour a small peice of Wampum to testify the same, vizt: that they were innocent & ignorant of the whole.

The Board having considered this Examination, are of opinion, that there is no great Dependance to be had on this Information of Montours; However, that it will be adviseable to make further Inquiries, that in case there should be any Foundation for the Story it may be Known as soon as possible. In the mean time it was again observed to the Governour, as it had been in September last, that the present Circumstances of our Affairs with the Indians render'd it necessary, that these People should be taken Notice of & visited by the Governour; To which the Governour was pleased to say, that he should be ready to undertake the Journey, whenever he can be informed, (which Mr. Wright had undertaken) that the Indians were returned from hunting, for he understood there were scarce any Indians at present at or about Conestogoe, & that as soon as it was practicable, nothing should be wanting on his part to establish & confirm the good Understanding that had hitherto subsisted between this Government & these People.

The Treasurer hereupon observed, that he had very lately attended the Committee of Assembly with his Accounts in order to settle them, but that they would by no means allow of the Articles of his Disbursements for defraying the Charges of the Treaty held with those of the five Nations at Philadelphia in July last, which had been examined by this Board, & recommended by the Governour to the House, that they alledged for a Reason, that the Treaty had not been laid before the House.

The Clerk answered, that by the Governours order he had acquainted the House, that the Treaty was ready to be laid before them whenever they should think fit to call for it, but that he was informed such Treaties had not usually been laid before the House, but at the desire of the Assembly, unless it were particularly so ordered by this Board.

It was further observed, that this Government might at sometimes lie under great Disadvantages, if on any Emergency, as Visits from the Indians, or necessary Messages to them, no money could be had from the Treasurer to defray the Expence.

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The Governour was therefore requested to putt the House in mind of these Exigencies, that a suitable Provision might be made for them; And that all Indian Treaties having been so long intermitted, there would now be occasion for some considerable Advance, if the Governour should meet both the Indians on Sasquehannah & those on Delaware, for which there seemed to be an equal Necessity, for that they now generally thought themselves slighted.

It was then ORDERED, that three Matchcoats be given to James Letort & John Scull, to be by them delivered to Allummapees, Mrs. Montour & Manawkyhickon, & that a proper Message be drawn up, that the Indians may be induced to discover what they Know touching the Information now given.

At a Council held at Philadelphia, April 25th, 1728.

PRESENT;

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan, Samuel Preston,
Richard Hill, Clement Plumsted. } Esquires.
Isaac Norris,

The Governour acquainted the Board, that Eight Members of Assembly having withdrawn themselves from the House, there was not a sufficient number left to make a Quorum, so that the Assembly was oblig'd to break up on Saturday the 20th Currt., at which time he received a Representation from the Speaker & the Members remaining in the House, which he now laid before the Board, & is as followes:

TO THE HONBLE PATRICK GORDON, ESQR, &c.

" It is with Concern that we are obliged to trouble the Governour " upon this occasion, & to acquaint him, that nothing less than the " Preservation of the Rights & Privileges of the Freemen of Pen- " sylvania could induce us to make the following Representation, " wherein some of our own Members may seem to be treated with " more Freedom than is decent to be used to Persons, who being " chosen to represent their Country, were presumed, at least by their " Electors, to be Men of Sense, Honour and Integrity, and we wish it " were in our Power to say what is proper upon this occasion with- " out even so much as naming them, yet what is said proceeds not " from any Disrespect to their Persons but the mere Necessity of " Speaking Truth.

" By our Constitution the Assembly of Pensylvania is to consist of " twenty six members, & two thirds of that Number make a Quorum. " Since our last Session in January, Daniel Williamson, one of the " Representatives for the County of Chester, is dead, Christopher

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" Vanhorn, one of the Representatives for Bucks County is indisposed,
" so that he could not attend the House at this time, And Sir Wil-
" liam Keith, one of the Representatives for the County of Philadia.,
" being called to Great Britain upon Affairs of Importance, (as 'tis
" said) his Absence has been excused by the House. And so the
" Assembly consisting of twenty three Members, which in the Sense
" of the Law is a full house, have since their meeting on the 15th of
" this instant proceeded, as usual, in such Business as was laid before
" them, untill this Day, when the Speaker being in the Chair & the
" House called over, it appeared that Eight of the Members for the
" County & City of Philadia., vizt: Jno. Kearsly, Thomas Tresse,
" Job Goodson, Willm. Monington, Lod Christian Sprogell, Thomas
" Rutter, Jno. Swift & Edward Horn, were absent; And the Door-
" keeper delivered a Letter to the Speaker, the same was opened, &
" it being address'd to the Speaker & the Members of Assembly then
" present, the same was delivered back to the Doorkeeper, with
" orders to acquaint the Persons who delivered it to him, that if they
" intended that Paper should be read, it must be brought into the
" House by some of the Persons who signed the same, or introduced
" by some of our own Members according to the order of the House.

" It was moved & agreed to by the Members then present being
" Fifteen, that the Doorkeeper should call in the Eight absent Mem-
" bers, who returned & said, he had delivered the Message from the
" Speaker, & that he received for answer from them, that when their
" Demands contained in the beforementioned Paper (which was then
" in their own custody) were comply'd with they would then come
" to the House. But this Answer not being understood by the
" Speaker nor the sitting Members, they never having read that
" Paper, the Doorkeeper was again sent to require the said absent
" Members to repair to the House immediately to attend the Service
" of the Country, & likewise to acquaint them, that the Speaker &
" the Members in the House were altogether ignorant of the Contents
" of that Paper; To which we had for answer by the Doorkeeper,
" that the Eight Members returned their humble Respects to the
" Speaker & the House, & desired him to say that they retained
" their Resolution, & we might have that Paper if we would send for
" it. Yet being unwilling to believe they had any Design of disa-
" bling the House to proceed upon the Business of the Country, we
" waited from 11 a clock in the forenoon to 6 in the afternoon
" this day, expecting their Prudence would lead them to return to the
" Service of their Country, but being informed that sundry of them-
" selves out of Doors had said, they did not design to give any fur-
" ther attendance in the House. We do now humbly beg leave to
" represent this Conduct of the said Eight Members as most unwar-
" rantable and unprecedented, in Breach of their Known Duty to
" their Countrey, & tending to the Subversion of the Constitution,
" as much as in them lies.

" But when we see those Men have not the Power to hurt, much
" less to destroy our happy Establishment, but by their Willfull Ab-
" sence, (which they weakly imagine can dissolve this Assembly) to

" give some small Interruption to the Business of the Country, it is " no small Satisfaction to us that we Know the Design can easily be " disappointed, & a proper Remedy apply'd with the Governrs. Assist- " ance; We therefore, the Speaker & sitting Members of the As- " sembly of Pensylvania, who are by far the greater Part, have " agreed to & do humbly request that the Govr. will be pleased to " call together all the Members of the present Assembly to attend " the Service of the Country, as soon as will suit with his Conve- " niency, after his Return from attending the Service of the three " lower Counties. And as this Resolution tends evidently to the " Preservation of the Constitution, & especially the legislative Au- " thority of this Province from the Designs of ill disposed Persons, " We depend upon the Govr. giving his ready and lawfull Assistance " to the House of Assembly in this reasonable and just Request.

DAVID LLOYD, Speaker.

The Governour likewise laid before the Board the Representation of the said Eight Members, which had been delivered to him on the 23d Currt. by four of their Number, & was now read in these words:

" To the Honourable Patrick Gordon, Esqr., Governour.

" May it please the Governour :

" We, the Governours most dutifull and assured Friends do esteem " it a favourable Presage of future Happiness to this Province that " we are governed by a Gentleman, whose views do so evidently " appear consistent with Civil Liberty, which effectually secures to " every man the quiet Possession of what he esteems most dear to " him.

" And as it has been the Will of our Constituents that we should " represent them in a Legislative Capacity, in which we had the " Pleasure to see the Governour appear at our head, We think it our " Duty to give him a true Narrative of the late Difference betwixt " us and our Fellow Representatives about Electing a Member in " Place of Sir William Keith, who is departed out of this Province " for Great Britain.

" It will not consist with the strict Rules of the House to expose " the Several Proceedings and Debates which attended that Affair, " but this we may assure the Governour, no Parliamentary Procedure " was ever more regularly carry'd on by the Members of the County " for which he was one of the Representatives, than the steps they " took to represent the Necessity of a Member to supply his Vacancy.

" They produced a Letter under his hand, & would have produced " more as well as other Evidence if required, to prove that he was " gone to Great Britain, with other Letters, in which he declared his " Intent of not returning in less than twelve or fourteen Months, with " his Desire that a Member might be Chosen to supply his Place, " which Request in Parliament is look't upon as a Sufficient motive " for the Speaker to issue out his Warrant to the Clerk of the Crown " for Electing a new Member in Place of one incapable of serving, " they moved for a new Election, & declared Sir William will- " fully absent according as the Law of this Province doth provide

" & direct. They renewed their Motion next day, & represented " the Breach of Privilege & Violation of Law such a Refusal would " produce, which appears from the aforesaid Law entituled An Act " to regulate Elections, &c., which Law allows & appoints each " County Eight Members to represent them in Assembly, but this pro- " duced no better effect than a vote expressly to the Contrary, & find- " ing by this & many more particulars, which we are herein obliged " to omitt, which sufficiently shewed that they were fixed in a Resolu- " tion destructive (as we conceive) of Right & Privilege; We resolved " therefore to retire for some few hours & to send them the inclosed " Dissent, hoping by this means to move them to a more calm & " prudent Consideration of this weighty Point, but so far have they " been from making the least offer towards reconciling the Difference, " that they dispersed themselves without giving us the least Notice, " so that we were left late within Night, destitute of an opportunity " to conclude on Methods to avoid the Trouble which such a preci- " pitant act must necessarily give the Governour, in making out " Summons's to recall the House to the Business of the Country.

" We are very sensible that Differences of this Nature must be " very unpleasant to the Governour, as well as offensive to the Coun- " try, but we hope when a true State of the Case is fully known, & it " appears from whence the Offence arises, We shall no longer fear our " Country's Disapprobation, or the Governours Displeasure with our " Conduct.

" We do in the most sincere manner declare to the Governour, " that the real Sense we have of his good Inclinations for the Wel- " fare of the Province is such, that we should think ourselves the " worst of Men did we project any Schemes, or raise any needless " Controversies that might disturb his Ease or injure the Interest of " his Family. The person that is proposed by some to succeed Sir " William Keith we have no Regard to in this Controversy, but in " the opinion of most of us that calm, easy & unprejudiced Proce- " dure which ought to be maintained in a Representative Body, is " too often broke in upon by some men, who by Custom & Use have " contracted such Habits of haranguing at the Bar, as seem insensibly " to lead them into a Neglect of the decent Orders and Rules of As- " sembly.

" We pray the Governour will excuse this Trouble, & beg Leave " to assure him we shall at all times, whenever it is in our Power, " study to convince him that we are fully perswaded the Interest of " this Province & that of the Governour are inseperable, & that all " Abetters & Maintainers of any thing destructive to the one are in- " jurious to both.

" The Govrs. most dutifull and assured Friends.

Edward Horne,	John Swift,
Wm. Monington,	John Kearsley,
L. C. Sprogell,	Job Goodson,
Thos. Rutter, Junr.	Thos. Tresse.

Philadia., Ap. 23d, 1728.

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The Governour proceeded & said, that this unhappy Division was like to interrupt the Consideration of several matters of importance which were laid before the House, and that therefore it would be necessary to issue forth Writts for calling the Members together as soon as possible, that he was oblidg'd to attend the Assembly of the three lower Counties, which is to meet the 1st of next month, but that he beleived they would not sitt long, and proposed to the Board whether the 20th of May next might not be a proper Time to call them together. The Board joyned with the Governour in expressing their Concern for this Difference in the House, & agreed that it was highly necessary that the Members should meet speedily, to the end no Interruption might be given to Publick Business, and are of opinion that the time mentioned by the Governour will be suitable.

It was then Considered when the Writts should issue, but the Board thought fitt to leave that entirely to the Governours Direction.

At a Council held at Philadelphia, May 6th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Samuel Preston, } Esq'rs.
Isaac Norris, Clement Plumsted. }

The Governour acquainted the Board, that a Letter from Mr. Wright at Conestogoe was lately communicated to him, giving an account of a Quarrell that was like to ensue between the Indians of these parts & the Shawanese, these last having Killed two of the Conestogoe Indians, that they seemed prepared for War, & that therefore his Presence was desired as necessary to settle those Differences, which might in End affect the Peace of the Province. His Honour likewise said he had received a Petition, signed by a great many of the Inhabitants in the back parts of this County, setting forth that they are under some Apprehensions of being attack'd by the Indians, that many Families had left their Habitations thro' fear of them, & praying that proper Measures might be taken for their Safety.

And therefore the Governour now moved to the Board, that since it is of great Importance to compose those Differences speedily, which would oblidge him to take a Journey to Conestogoe, it would be requisite that the Assembly should meet as soon as possible; Which the Board from the Consideration of what the Governour had said readily agreed to, and the 14th Currt. being proposed for the Time of their meeting was approved, 'Tis therefore ORDERED, that Writts be forthwith issued for that purpose.

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At a Council held at Philadelphia, May 10th, 1728.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan. William Fishbourn,
Samuel Preston, Clement Plumsted. } Esq'rs.

Thomas Laurence, Esquire, one of those named in the Minute of the 20th of April, 1727, as proper to be added to this Board, was introduced by one of the Members, & having taken the Oaths enjoyn'd by Law, & likewise that for the faithfull Discharge of his office as a Counsellor, took his Seat accordingly.

The Governour then told the Board that he was just setting out for Mahanatawny, upon Advice brought him this Morning by Express, that a party of forreign Indians were fallen in amongst our Inhabitants in these parts, & had committed several acts of Hostility particularly, that they had fired upon some of our People, who to the Number of twenty had advanced towards them to Know what they wanted, & had wounded severals slightly, & one man mortally; that our People thereupon returned their Fire, and, as 'tis believed, Killed their Captain who appeared to be a Spanish Indian, and that it was dreaded some further Mischief would ensue, which he hoped he would be able to prevent. But added, that in the mean time it would be necessary to hasten the intended Treaty at Conestogoe, & for that End that a Message, with some small Present, should be forthwith dispatched to Captain Civility, to acquaint him that the Governour designs to be there in twelve or fourteen days, and that he would therefore Convene all the Indians thereabouts against that Time.

Which the Board approved of, and ORDERED that two Strowd Matchcoats, with a Message to the Purpose aforesaid be immediately sent. They then express'd their Concern for the Uneasiness which this Accident would necessarily raise in the Country, & having wished the Governour Success in his Journey & safe Return, the Council adjourned.

At a Council held at Philadia., May 15th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Clement Plumsted,
Richard Hill, Thomas Laurence, } Esq'rs.
William Fishbourn,

The Governour acquainted the Board, that last night he returned from Mahanatawny where he found the Countrey in very great Disorder, occasioned by the Noise of the Skirmish that hapned between

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some of our People & a small Party of Indians, that many of the back Inhabitants had quitted their Houses, & seemed under great Apprehensions of Numbers of Indians coming to attack them; that several Palatine families were gathered together at a Mill near New Hannover Township, in order to defend themselves, & that there he saw the Man who was said to have been Killed by the Indians, but he appeared to be only slightly wounded in the Belly; that having examined several Persons there & at Colebrookdale touching the said Indians, he understood that they were eleven in Number & had been in that Neighbourhood for some Days; that they were all armed & had a Spanish Indian for their Captain, and that having been rude in several houses where they forced the People to supply them with Victuals & Drink, some of our Inhabitants, to the Number of Twenty, a few of whom were armed with Guns & Swords, went in Search of the said Indians, & coming up with them they sent two of their Number to treat with the Captain, who instead of receiving them civilly, brandished his Sword & commanded his Men to fire, which they did, & wounded two of ours, who thereupon returned their Fire, upon which they saw the said Captain fall, but he afterwards got up & run into the Woods after his Party, having left his Gun & Match-coat behind him, & that since that time they had been no more seen.

The Governour said, that tho' he had this account from one of those who were then present, he could not help thinking our People had given some Provocation, & wished it might not appear so when the Indians should give their Relation of this Matter.

That some of the Inhabitants seemed so incensed, that they seemed determined to Kill any Indian they could find, & that great Pains were taken on this head to make them cautious of doing any rash act which might be attended with fatal Consequences.

The Governour proceeded & said, that after having used several Methods to quiet the Country & to induce the People to return to their Habitations, & having ordered some Powder & Lead to be distributed in case of any attack. He was preparing to return home, when he received the melancholy news by an Express from Samuel Nutt, Esqr., that an Indian Man & two Women were cruelly murthered at Cucussea by John & Walter Winters, without any Provocation given, and two Indian Girls much wounded, upon which a Hue & Cry was immediately issued against the Murtherers, & He returned back next day to Mahanatawny to make Enquiry into this matter, where he learn'd that the said Winters, & one Morgan Herbert, an Accomplice in the said Murther were apprehended, who being brought thither & examined, the said Winters confessed the Murther, as did likewise Herbert, his being present when they perpetrated the same, as appears from their several Examinations now laid before the Board, and that they had nothing else to say in their Justification, then that, from the Reports in the Countrey of the Indians having Killed some white men, they thought they might lawfully Kill any Indian whom they could find. They were then ordered to Prison

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and a sure Guard, and orders were issued for apprehending John Roberts, mentioned in their Examination as an Accomplice in the said Crime; And then the Coroner was dispatched to take an Inquisition of the dead Bodies, & to bury them wrapt in Linen, & was further directed, that in case any of their Relatives should be there He should present them with four Strowds to cover the dead Bodies & give two Strowds to the Indian Girls, & to Employ some Person to cure their Wounds, & further to assure their Friends that the Offenders should not goe unpunished.

That a Message was likewise dispatched to the Indians at Makanyhickon to acquaint them with this unhappy Accident, & the Concern we were under on that Account, after which being apprehensive that this peice of Barbarity might stirr up the Indians to revenge it on our Inhabitants in these Parts, it was thought proper that some Persons should be empowered by Commission to gather the Inhabitants together, & putt them in a Posture of Defence in case of any such Attempt, & for that Effect John Pawlin, Marcus Huling, & Mordecai Lincoln, were Commissionated, and that after giving several other Directions & Instructions for securing the Peace of the Country, His Honour with his Company returned.

The Governour then desired the Board to consider whether it might not be proper to send a Message forthwith to Allummapees Opekasset & Manawkyhickon, to acquaint them with what has happned, & the Care taken by this Government in apprehending the Criminals, & to desire that they with their People may be at Conestogoe at the Ensuing Treaty. The Board having express'd their Satisfaction with the Governrs. prudent Conduct in this whole Affair agreed hereto, & 'TIS ORDERED, that a Message to the Purpose aforesaid be drawn up, & sent by Nicolas Scull, John Scull, and Anthony Zadousky, with two Strowds to each of the aforenamed Chiefs.

Mr. Logan informed the Board, that pursuant to their order of the 10th Currt., a Message was sent to Conestogoe to Convene the Indians to the Ensuing Treaty, & that the Messenger being now returned, has brought a Letter from Mr. Blunston, signifying that several Indians were mett there, & expected the Governour in nine or ten days.

The Governour then acquainted the Board, that Writts having issued for Summoning the Assembly of the Province to meet yesterday, he was informed by two of their Number that they were now a House, & that therefore he intended to acquaint them with what has pass'd, how necessary it is that some Provision should be made for defraying the Charges of the Treaty, and for this Purpose he had drawn up a Speech, which was read & approved, and the House of Representatives being sent for attended, to whom the Governr. spoke in these words:

Mr. Speaker & Gentlemen of the House of Representatives:

" Tho' I have resolved never to interfere with the Proceedings of " the House of Representatives, in which concerns their Privileges,

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" of which you are most certainly the Judges, yet the last breaking " up of the house has given me no small Uneasiness. I shall, not- " withstanding, on your present coming together again by my Sum- " mons, recommend it to you all to fall on the most pacifick measures " that may be thought of making up this Breach, with a due Regard " to the Rights and Privileges of the House, which I hope you will " all be equally carefull to Support & Maintain.

" But you will find it absolutely necessary from some late unhappy " Occurrences in this Province, that all needless Disputes which " might retard your Consultations, should now be laid aside.

" On Friday last the 10th instant, in the morning, I received an " Account from the Iron works at Mahanatawny, that some strange " Indians very well armed, had fallen in amongst his Majestys Sub- " jects in that neighbourhood, & had been guilty of such Violences " that some of our People beleived it incumbent on them to know " who they were & what was their Business. They endeavoured to " treat with those Indians in the civilest manner, upon which they " were attack'd, and Hostilities immediately pass'd between them, " to the wounding of divers of our People, & not without some Exe- " cution, as 'tis beleived, on the others.

" On the first Account I immediately prepared to visit those Parts, " and with divers Gentlemen, who Kindly accompany'd me, some of " whom have herein proved very Serviceable to the Publick, I sett " out in a few hours & found the Country under very great Terror " & Surprize, but this was gradually dissipated, & the People hear- " ing of no more Enemies (those first being gone off) began to be " appeased, when we were again alarmed by a fatal Accident, in the " Murther of three harmless Indians, a young Man & two Women, " of our own friendly Natives, who were most inhumanely knock'd " on the head by three or four of our own People, & this without " any manner of Provocation from the Sufferers that I could possi- " bly learn, of all which you may have a more particular Narrative " if desired.

" On this last Information, I immediately caused a Hue & Cry to " be issued for apprehending the Murtherers, three of whom were " taken, & are now in Chester Goal, but another no less deep in the " Guilt, when I left the Place, was not found.

" Hearing of some others of our Indians, who were not far from " that Neighbourhood, I call'd them in to acquaint them with the " unhappy Accident. Care is also taken to give the deceased a de- " cent Burial; But as the Murthered Persons were all related, as I " am informed, to some of our Indian Chiefs, we cannot expect but " that so barbarous a Fact must be resented. I have taken all the " Measures in my Power, that on the best advice could be thought " proper to prevent the worst Impressions on them, or remove them, " if made, & as I am enabled, shall proceed in whatever shall be

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" thought rationally practicable for that End. I have already desired " as many of those Indians, as I could find Messengers to reach, " that they would meet me next Week at Conestogoe, where I have " appointed as general a Treaty as can be compass'd in that time, for " you will agree, I believe, that in these Cases Delays ought by all " means to be avoided.

" But there is further absolute Necessity that Messages with some " small Presents should be forthwith dispatch'd to Divers other Parts " of the Country, especially up the River Delaware, who ought by " all means to be seasonably informed of the real Truth of these " matters, to prevent all misunderstandings from these Quarters.

" I am also further to acquaint you, Gentlemen, that last night I " received Advice from Conestogoe, by the Return of an Express I " had sent from hence thither on Friday last, that some of the Chiefs " of the Five Nations are to be here with us at Philadelphia on a " friendly visit, of which good uses may be made, seeing all our In- " dians of these Parts have an Entire Dependence on those Nations.

" That these Proceedings, Gentlemen, must necessarily occasion " an Expence you cannot be insensible, But when the unhappy Con- " sequences of any Misunderstanding with these People, & the dire " Effects of such Quarrells are considered, you will undoubtedly " allow it to be the highest Prudence to prevent, by an early & sen- " sible Application of a proper Remedy, the Calamities that others of " His Majestys Subjects have been distress'd with in some of their " American Colonies, I therefore most seriously recommend it to you, " Gentlemen, that without any Delay on any Pretence whatsoever, " you would in behalf of the Country, by whom you are entrusted, " assist me with your Advice, & make such Provision as may ena- " ble me effectually to putt in Practice those necessary Measures I " have already mentioned for Establishing the Publick Peace, & " you may assure yourselves I shall decline no Toil or Fatigue on " my Part, that may contribute to so good an End.

After which the House withdrew, & the Council adjourned.

At a Council held at Philadelphia, May 16th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, William Fishbourn, Isaac Norris, Clement Plumsted. Samuel Preston, } Esq'rs.

A Draught of a Proclamation for securing the Peace of the Province was laid before the Board, which being read was approved of, & the Same being Signed by the Governour, was ordered to be Sealed, Printed, & forthwith Published, & is as followes.

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" BY THE HONOURABLE PATRICK GORDON, Esqr.,
" Lieutenant Governour of the Province of Pensylvania & Counties
" of Newcastle, Kent & Sussex, upon Delaware.

" A PROCLAMATION.

" WHEREAS, by the especial Favour of Divine Providence &
" its Blessings on the Endeavours of our late Honourable Proprie-
" tor, and the first Adventurers with him, in the Settlement of this
" Colony, the Inhabitants thereof have hitherto enjoy'd a continued
" Course of Peace & Tranquility, secured from all Hostilities, either
" by Invasion or Insurrection: To which nothing under the Divine
" hand has more effectually contributed, than the prudent Care that
" was then taken by the Proprietor, to Enter into a firm Alliance
" & Sincere Friendship with all the Indian Natives, at that time a
" numerous People. AND WHEREAS, by the several Treaties
" then made, it was specially provided & agreed, that the said Na-
" tives should be considered in all Dealings, & Converse with them
" as our Friends & Brethren without Distinction; And by the like
" Care in the Government, the Same Treaties have from time to
" time been continued & confirmed, & by the sober & prudent Con-
" duct of the ancient Settlers & their Successors, the first Establish-
" ed Friendship has been hitherto without any Interruption Supported
" & maintained, to the great Benefit, as well as Honour & Reputa-
" tion of this Government & its European Inhabitants, as also of the
" said Natives, who have not to this time been guilty of any Failure
" or Breach on their Parts of the said Treaties. BUT WHEREAS,
" by Reason of some rude Insults from a few strange Indians, who
" had ranged amongst our Inhabitants some Actions tending to Hos-
" tilities ensued; Whereupon the People assembled themselves in
" Companies, under an Apprehension that those Robbers might be
" followed by much greater Numbers. And since these Motions, a
" most barbarous Murther has been committed by some furious Men
" on the Bodies of three harmless & quiet Natives, our Friends; for
" which the Malefactors have been happily seized and are in safe
" Custody, in order to be tried & suffer condign Punishment. NOW
" for Prevention of all further & other Breaches of the Established
" Friendship between us & the said Natives, I do, by Virtue of the
" Powers & Authorities to me derived from the Kings sacred Ma-
" jesty, & the Honble the Proprietors & Governours in Chief of this
" Province & adjacent Counties, hereby strictly Charge & Command
" all and Singular His Majestys Subjects, the Europeans of what-
" soever Nation they be, who reside in the said Province or Coun-
" ties, that on no Pretence they abuse any Indian Native of the
" Nations around us, vizt: the Delawares, Conestogoes, Ganawese,
" Shawanese, Mingoes or those of the Five Nations, or any other
" coming and demeaning themselves peaceably amongst us, but that
" on all occasions they treat all the said Indians with the same civil
" Regard that they would an English Subject; And that by all

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" means they avoid that unbecoming Practice of expressing or Shew-
" ing their weak unhandsome fears, by which they greatly expose
" themselves to Remarks that are dishonourable. But because, on
" the late Alarms, Apprehensions have been raised of Insults from
" foreign Indians: To the End, that the Inhabitants may not in any
" such Case (should it unfortunately happen) be unprovided. I do
" hereby Direct & Require all His Majestys Liege Subjects within
" the said Province & Counties, that they be at all times duly fur-
" nish'd with suitable Arms & Ammunication for their Defence, to be
" used in case of real Necessity by the order & Direction of proper
" Officers, who shall be duly appointed for that Purpose. And that
" they fail not to appear with them in proper Time & Place, if there
" should be Occasion to use them, in Defence of themselves, their
" Famtlies & Country.

" Given in Council at Philadelphia, under my hand & the Great
" Seal of the said Province, the Sixteenth day of May, in the first
" year of the Reign of our Sovereign LORD GEORGE the Second by
" the Grace of God, over Great Britain, France & Ireland, King,
" Defender of the ffaith, &c., Annoq Dom., 1728.

" GOD SAVE THE KING.

At a Council held at Philadelphia, May 17th, 1728.

PRESENT.

The Hotble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan, William Fishbourn,
Isaac Norris, Clement Plumsted. } Esq'rs.
Samuel Preston,

The Board enter'd upon the Consideration of the Presents proper to be made to the Indians at the ensuing Treaty, & 'TIS ORDERED, that the following Goods be provided by the Provincial Treasurer, and sent up to Conestogoe by the first Opportunity, vizt: twenty five Strowd Matchcoats, twenty Blanketts, twenty Duffels, twenty five Shirts, one hundred wt. Gunpowder, two hundred wt. of Lead, five hundred Flints, & fifty Knives, with Rum, Bread, Pipes & Tobacco, together with such Provisions as may be necessary for the Governour & his Company.

It was moved that a Day should be appointed for the Tryal of John & Walter Winters, that Notice thereof may be given to the Indians, but the same was deferr'd until the Chief Justice should be consulted thereon.

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At a Council held at Philadia., May 20th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan, Clement Plumsted,
Saml. Preston, Thomas Laurence. } Esq'rs.
Willm. Fishbourn,

The Governour acquainted the Board, that John Smith & Nicolas Schonhoven, two Indian Traders from Pechoquealin, near Durham Iron Works, had this day delivered him a verbal Message from Kakow-watchy, the Chief of the Shanawese there, to this Effect: That he having heard that the Flatheads, (Indians so called) were come into this Province with a Design to make War upon our Indians, he had sent Eleven of his Men armed to Enquire into the Truth of the Report, with Orders to assist our Indians in case the same should be true; that their Provisions failed them, & they were oblig'd to gett from our Inhabitants wherewithal to subsist, but that they offered no Rudeness till our People used them ill, & fired upon them that he is very sorry for what has happen'd, & that he has a great Love for us all as his Brethren, but that one of their Number is wounded & lost his Gun, which he desires may be sent.

The Board taking the same into Consideration, ORDERED that an Answer be sent to the above Message, to inform Kakow-watchy of the imprudent Conduct of these Eleven Indians, & the Confusion that has happen'd thro' their Means, & to warn them to be more cautious in their Behaviour for the future, that the Governour may probably see them some time in the Fall at Durham. & Care shall be taken to enquire for the Gun. That three Matchcoats be sent to Kakow-watchy as a Present, together with the Matchcoat Belt and Hatchet which were left by their Indians, And that forty Shillings be given to each of the said Messengers for their Trouble & Expence, with their Entertainment in Town for two Days.

MEMORANDUM: Pursuant to Appointment with the Indians at Conestogoe, the Governour attended with some Members of Council, & divers other Gentlemen, to the Number of about Thirty, who voluntarily offered their Company thither, sett out from Philadelphia on the 22d of May, & on the 23d in the Evening came to the House of Mr. Andrew Cornish, about a Mile distant from the Indian Town. The 24th & 25th days were spent in waiting for some other Persons expected at the Treaty & in Mutual Civilities, & on the 26th the Treaty began as followes:

At a Council held at the Indian Town of Conestogoe, May 26th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

Some Members of Council & divers other Gentlemen.

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PRESENT ALSO:

Ganyataronga, Tawenna, Tanniatchiaro, Taquatarensaly alias Capt. Civility, } Chiefs of the Conestogoe Indians.

Oholykon, Peyeashickon, Wikimikyona, } Chiefs of some of the Delaware Indians on Brandywine.

Howickyoma, Skayanannego, Onneygheat, Nanamakamen, Peyhiohinas, } Chiefs of the Ganawese Indians.

Weysow-walow, Keyscykakalow, Nichtamskakow, } Chiefs of the Shawanese.

Shakawtawlin or Sam, Interpreter from the English into the Delaware.

Captain Civility, Interpreter from the Delaware into the Shawanese and Mingoe (alias Conestogoe.)

Pomapechtoa, Interpreter from the Delaware into the Ganawese Language.

Mr. Nicholas Scull, Mr. John Scull, Mr. Peter Bizallion, } Assistant Interpreters.

The Govr. Spoke as followes:

My Friends & Brethren:

" You are sensible that the Great William Penn, the Father of " this Countrey, when he first brought his People with him over the " broad Sea, took all the Indians the old Inhabitants by the hand, " & because he found them to be a sincere honest People he took " them to his heart & loved them as his own. He then made a strong " League & Chain of Friendship with them, by which it was agreed " that the Indians & the English, with all the Christians, should be " as one People.

" Your Friend & Father William Penn still retained a warm Af- " fection for all the Indians, & strictly commanded those whom he " sent to govern this People to treat the Indians as his Children, & " continued in this kind love for them until his Death.

" His Sons have now sent me over in their Stead, & they gave " me strict Charge to love all the Indians as their Brethren, & as " their Father William Penn loved you. I would have seen you be- " fore this Time, but I fell sick soon after I came over, & continued " so till next Spring. I then waited to receive some of the five Na- " tions who came to see me at Philadelphia, & last Fall I heard you " were all gone out a hunting.

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" I am now come to see you, and to renew the ancient Friendship " which has been between William Penn's People and you, I was " in hopes that Sassoonan & Opekasset, with their People, would " have been likewise here, they have sent me kind Messages & have " a warm Love for the Christians. I believe they will come to me ' at Philadelphia, for since they could not gett hither I have desired ' them to meet me there.

" I am now to discourse with my Brethren, the Conestogoes, De- " lawares, Ganawese & Shawanese Indians upon Sasquehannah, & " to speak in Love to them.

My Brethren:

" You have been faithfull to your Leagues with us, your Hearts " have been clean, & you have preserved the Chain from Spotts or " Rust, or if there were any you have been carefull to wipe them " away; your Leagues with you Father William Penn, & with his " Governours are in Writing on Record, that our Children & our " Childrens Children may have them in everlasting Remembrance. " And we Know that you preserve the memory of those things " amongst you by telling them to your Children, & they again to " the next Generation, so that they remain stamp'd on your Minds ' never to be forgott.

" The Chief Heads or Strongest Links of this Chain I find are " these Nine, vizt:

1st. " That all William Penns People or Christians, and all the " Indians should be brethren, as the Children of one Father, joyned " together as with one Heart, one Head & one Body.

2d. " That all Paths should be open and free to both Christians " and Indians.

3d. " That the Doors of the Christians Houses should be open to " the Indians & the Houses of the Indians open to the Christians, & " that they should make each other welcome as their Friends.

4th. " That the Christians should not believe any false Rumours " or Reports of the Indians, nor the Indians believe any such Ru- " mours or Reports of the Christians, but should first come as Breth- " ren to enquire of each other; And that both Christians & Indians, " when they hear any such false Reports of their Brethren, they " should bury them as in a bottomless Pitt.

5th. " That if the Christians heard any ill news that may be to " the Hurt of the Indians, or the Indians hear any such ill news that " may be to the Injury of the Christians, they should acquaint each " other with it speedily as true Friends & Brethren.

6th. " That the Indians should do no manner of Harm to the " Christians nor their Creatures, nor the Christians do any Hurt to " any Indians, but each treat the other as their Brethren.

7th. " But as there are wicked People in all Nations, if either " Indians or Christians should do any harm to each other, Complaint " should be made of it by the Persons Suffering that Right may be

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" done, & when Satisfaction is made, the Injury or Wrong should be " forgott & be buried as in a bottomless Pitt.

8th. " That the Indians should in all things assist the Christians, " & the Christians assist the Indians against all wicked People that " would disturb them

9th. " And lastly, that both Christians & Indians should acquaint " their Children with this League & firm Chain of Friendship made " between them, & that it should always be made stronger & stronger " & be kept bright & clean, without Rust or Spott between our Chil- " dren and Childrens Children, while the Creeks and Rivers run, " and while the Sun, Moon & Stars endure.

" And for a Confirmation on our Parts of all these Several Arti- " cles, We bind them with these Several Parcels of Goods, vizt:

20 Strowd Matchcoats,	1 Cwt. of Gunpowder,
20 Duffells,	2 Cwt. of Lead,
20 Blanketts,	500 Flints,
20 Shirts,	50 Knives,

After which the Governour proceeded & said.

" My Brethren:

" I have now spoke to the League and Chain of Friendship, first " made by your Father William Penn with your Fathers, which is " confirmed. I am now to acquaint you with an unhappy Accident " that has afflicted me & all good People amongst us, and we lament " & mourn with you on the heavy Misfortune.

" About forty days agoe we heard that the Twechtweys were " coming as Enemies against this Countrey. I believe it is false, " for we never hurt the Twechtweys; And about eighteen Days since " I received an Express from the Iron works at Mahanatawny, ac- " quainting me that Eleven forreign Indians, painted for War, & " armed with Guns, Pistoles and Swords, were come amongst our " Inhabitants, plundering them & taking away their Provisions by " Force, whereupon some of our People, to the number of twenty " men, with Arms, went to Speak to them Civilly, but the Indians " fired upon them & wounded some of them; Our men likewise fired " on the Indians & wounded some of them also, but the Indians fired " first. It was very ill done to fire.

" As soon as I had this Account I took horse and went to Maha- " natawny with several Gentlemen of Philadelphia, but the Indians " were gone off. I found our People beleived there were more com- " ing, and therefore some Hundreds mett together with their Arms " to defend themselves in case the Indians should attack them.

" As I was returning home I heard news that grieved me exceed- " ingly. I was told that two or three furious Men amongst us had " Killed three of our Indian Friends & hurt two Girls. I went back " mourning, & sent out Men to take the Murtherers, who were ac- " cordingly taken, & they are now in Irons in a Dungeon to be tried " by the Laws of the Great King of all the English, as if they had

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" Killed so many of his own Subjects. I have likewise caused " Search to be made for the dead Bodies, & two Women were found " murthered, who by my order were laid in a Grave and covered " with Shirts & Strowds. I hear likewise that the dead Body of " an Indian man has been found & is buried.

" You Know there are wicked People amongst all Nations; there " are ill People amongst you, & you are sometimes forced to putt " them to Death. The English are a great People, & there are " likewise wicked men amongst them. I mourn for this Misfortune, " & will do all I can to comfort the Relations of the Dead when I " see them, which I hope will be at Philadelphia with Sassoonan & " Opekasset.

" About eight months agoe I received an Account that an English " man was Killed by some Indians, at the House of John Burt, in " Snake town. I heard John Burt was very abusive to the Indians, " and I sent to apprehend him, but he fled; if he can be taken he " will be punished. But since there was a Man Killed, we expect " the Indians will doe us Justice by apprehending the Murtherers " that they may be punished, for we must be just and faithfull to " each other, that this Spot may be wiped away & the Chain be " kept bright & clean.

" You know, My Brethren, that one Link of the Chain is, that " when the Indians are uneasy they should tell it to us, & when we " are uneasy we will tell it to them. I therefore desire your Hearts " may be open, that I may know if you have any Cause of Grief, " which I will endeavour to remove, for I am your Brother.

" I have issued a Proclamation requiring all our People to use you " well, which shall be read unto you before I goe away. I will pre- " vent any Hurt being done to our Friends the Indians, because " those who do not behave themselves agreeable to what is therein " commanded, will be severely punished.

At a Council held at the Indian Town of Conestogoe, May 27th, 1728.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governr.

And the same as before.

TAWENNA in the Name, & on the Behalf of all the Indians present spoke to the Governour, which was rendered into English by John Scull, Interpreter, & is as followes:

Give Ear my Brethren of Philadelphia, the Conestogoe Indians, the Shawanese, the Gunawese & Delawares have somewhat to say, which they will speak presently.

They say, they look upon the Governour as if William Penn himself were present. They are four Nations & among them there are several foolish People, as if they were just sprung from the Earth;

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But that since their first friendship with William Penn, they never have received any Wrong or Injury from him or any of his People.

That several foolish People among them committed Follies and Indiscretions, but they hope these will never interrupt the Friendship which is between their People & us, for that they & all William Penns People are as one People, that Eat, as it were, with one Mouth, & are one Body & one Heart.

Then presenting a Belt of Wampum of Eight Rows, they say: They would not have the Governour grieve too much for the rash inconsiderate Actions that of late have been committed; they must be buried & forgot, for that what has happen'd was done by their Friends, if it had been done by their Enemies they would have resented it, but that we & they are One; That they have always mett with Justice and Kindness from William Penn, and from all the Governours whom he has sent here, & thus do all the Indians of Conestogoe, Delaware, the Shawanese & Ganawese say.

That they are extreamly glad & satisfied with what the Governour said to them yesterday, it greatly rejoyced their Hearts that they have had no such Speech made to them since the time that the Great William Penn was amongst them, all was good & nothing was amiss.

Then presenting four Strings of Wampum they say: They will visit the Governour at Philadelphia after the Harvest is over, & then they will speak fully to him as their Brother & Friend, for the Conestogoes, Delawares, Shawanese & Ganawese will then come to him, & he may look up the Conestogoe Road & expect them; That what happen'd at John Burts house was not done by them, it was done by one of the Menysincks, who are of another Nation, & therefore they can say nothing to it.

After this Answer of the Indians some of the Gentlemen present moved the Governour, that seeing now there was now a numerous Company of our Inhabitants mett together, he would be pleased to press the Indians to declare to him if they suffered any Grievance or Hardship from this Government, because several Reports had been industriously spread abroad, as if they had some just Cause of Complaint. And the Governour having ordered the Interpreters to acquaint them herewith; They all answered that they had no Cause of Complaint, that William Penn & his People had still treated them well, & they had no Uneasiness.

The Governour then told them, that he was well pleased with what they had said unto him, and that since the Indian, who Killed the Englishman at Burt's house is not of their Nation, he would demand Justice from that Nation to which he belonged.

The Proclamation was then interpreted unto them, which seemed to please them very much.

Then the Governour having ordered some Rum, Bread, Tobacco

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& Pipes to be delivered to them, & likewise one Strowd Matchcoat & one Shirt to Civility, one Strowd Matchcoat & Shirt to Shakatawlin or Sam, & one Shirt to Pomapechtoa, the three Indian Interpreters; he took all the Indian Chiefs by the Hand, & desired them that when they returned home they should acquaint all their People with what had now pass'd between them & us, that the Remembrance thereof might Endure for ever.

At a Council held at Philadelphia, June 3d, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	William Fishbourn,	} Esq'rs.
Isaac Norris,	Clement Plumsted,	
Samuel Preston,	Thomas Laurence.	

The Governour informed the Board, that while he was at Conestogoe he received an Answer to the Messages sent by order of this Board of the 15th ulto. to Allummapees, Opekasset & Manawkyhickon, which were now read, & are in Substance: That Allummapees and Opekasset had received the Governours Letter and Present, that they had nothing in their Hearts but Love & Goodwill towards the Governour & all his People, that they would have apprehended some Danger if the Governour had not sent to them, but that now their Doubts are over & offer to meet the Governour at Molatton, because they cannot reach Conestogoe by the time appointed.

The Message from Manawkyhickon is to this Effect: That he believed the Governour Knew nothing of the Fight between the Shawanese & white People, & desires that the back Inhabitants may be cautioned not to be so ready to attack the Indians as they were at that time; That he very well remembers the League between William Penn & the Indians, & hopes the Governr. will be carefull thereof, and that He will come to Philadelphia with the Chiefs of the Five Nations.

The Governour then said, that understanding Allummapees & Opekasset with some of their People were come to Molatton, he dispatched Messengers to them, with an Invitation to come down to Philadelphia, & that accordingly they were now come, & had brought with them some of the Relations of those Indians that were lately Killed by the Winters, and therefore he was now to advise with the Board upon what might be proper to be said to them, & the Presents necessary on this Occasion,

And the same being had under Consideration, the Board are of opinion, that the Substance of what pass'd at Conestogoe may be proper to be repeated, with a particular Account of our Care in apprehending the Criminals, and a firm Assurance that they shall

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be punished according to our Laws; and 'TIS ORDERED, that the following Goods be provided, vizt: ten Strowd Matchcoats, five Blanketts, five Duffells, ten Shirts, twenty five pounds Powder, Sixty pounds Lead, one hundred Flints, two dozen Knives, two dozen Scissors, two dozen Tobacco Boxes, two dozen Tobacco tongs, one dozen looking Glasses, & one pound Vermillion for the general Present, And three Strowds, three Blankets, three Duffells, three Shirts, and Six Handkerchiefs for the Relations of the Dead, and that Care be taken to Entertain those Indians hospitably during their Stay amongst us.

At a Council held at Philadelphia, June 4th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Richard Hill, Isaac Norris, Samuel Preston, William Fishbourn, Clement Plumsted, Thomas Lawrence. } Esquires.

With many other Gentlemen & Inhabitants of Philadelphia.

Present also of the Indians.

Sassoonan or Allummapees, King of the Delawares, with Opekasset, Shakatawlin, Gulyppenaa, Hoarsnet, Meteyikon, Nichshompeyat, Tossweychimon, Aketawnikily, Ketamakelomen & Wetchywalikon, with others of the Delawares.

Shikillima from the Five Nations, & Squicksey a Shawanese.

Edward Farmer, Esqr., Shakatawlin or Sam, Interpreters.

The Governour spoke as followes:

" My Friend & Brother Sassoonan or Allummapees:

" I was glad to see you at my house last year, & am now glad to " meet you with your Relations, being always pleased to see the " sober & good People amongst the Indians, as my Friends & Brethren.

" When your Great Father William Penn's Children sent me " hither, they commanded me to love & be kind to the Indians as " their Brethren, & therefore I intended soon after I crossed the great " Sea, & came hither to have seen the Chiefs of all our Indians, but " was prevented by Sickness & Business. This Spring I proposed " to meet them all at Conestogee, & when I heard that Civility & the " People of that Place were returned home, I appointed a Meeting, " at which I desired the other Chiefs might be present, that we might " all together, as Friends & Brethren, renew & strengthen the Chain " of Friendship which your Father William Penn made with all the " Indians of this Province, that it may be Kept bright forever.

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"About ten days since I mett the Indians of Conestogoe, the Shawanese, Ganawese, & divers of the Delawares at Conestogoe town, we then opened our Hearts, we spoke as Brethren & Friends, we brightned the Chain & made it strong, that it might last & continue firm, while the Sun & Moon endure.

"I am sorry that my Brother Sassoonan had not notice early enough to be there with his People, but I say again, I am glad to see you now here.

"We then went over all the Heads, the strong Links of the Chain made between your Father William Penn & the Indians, we keep them in writing, that they may be had in everlasting Remembrance, the Indians also keep them in their Memory & in their Hearts, they tell them to their Children, & these tell them again to their Children, that from Generation to Generation they may be remembred forever. These are the Chief Points of those Treaties that were first made by William Penn with your Fathers, & have since from time to time been confirmed.

Here the nine Heads or Links mentioned in the Treaty of Conestogoe were repeated.

And for a Confirmation on our Parts of all those Articles, we bind them with the following Goods.

10 Strowd Matchcoats,	2 dozen Knives,
5 Blankets,	2 dozen Scissors,
5 Duffells,	2 dozen Tobacco Boxes,
10 Shirts,	2 dozen Tobacco Tongs,
25 pounds Powder,	1 dozen Looking Glasses,
60 pounds Lead,	1 Pound Vermillion.
100 Flints,	

After which the Governour proceeded & said.

"My Friends & Brethren:

"I have now spoke to the League & Chain of Friendship first made by your Father William Penn with your Fathers. You have kept it well, your hearts have been clean & clear from Spott, or if there was any you have wiped it soon away. William Penns Children & People have also kept the League. Every Governour who was here in William Penns Place has been kind to them, & all good Christians have loved them. But great Numbers now come in amongst us; there are some bad People amongst all Nations, & there are some amongst us who love Lying & to Committ Wickedness. These are not such good People as William Penn brought over with him, they are loose & idle. The Children of your Father William Penn, the Governour, & all in the Government, will always love every good and sober Indian as their Brethren & Friends.

"You have heard, my Brethren, that some Shawanese about twenty days agoe came from about Pechoquealin, armed with Guns, Pistols & Swords, & painted for War, they fell in amongst

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" some of our Inhabitants and behaved themselves foolishly; Our " People thought them strange Indians & Enemies, and believed " there were much greater Numbers behind in the Woods, they mett " together with Arms to defend themselves. But I now mourn with " you the unhappy Accident that followed by the Madness of these " furious wicked men, who could so inhumanly destroy our good " Friends & their quiet peaceable Neighbours. The first News of it " wounded me deeply. I was then returning to Philadelphia, but I " went back again, I ordered the Murtherers to be apprehended & " the Bodies of our two dead Friends sought for. My officers with " many People found two & buried them, covering their Bodies with " Shirts & Strowds, which I sent for that purpose. The Criminals " are now in Dungeons with Iron Chains on them, & they are to be " tried in about fourteen days at Chester, by the Laws of our Great " King, in the same manner as if they had Killed any of his Subjects " & our own People, for by our Leagues of Friendship we & the In- " dians are as one, and we make no Difference. He that kills or " hurts an Indian, kills or hurts our Brother, we feel it as done to " one of ourselves & must punish it accordingly. We mourn with " the Relations, all good People mourn with them, and we now give " these few things, vizt: three Strowds, three Blankets, three Duf- " fells & three Shirts, to cover the dead Bodies again, & these six " Handkerchiefs to wipe away their Tears. We give them not as " the Price of Blood, or to make Satisfaction for the Death of our " Friends. Justice must be done according to our Law, & [we give " these only as a Mark of our Grief, that the Relations may be the " more easy in their Minds, that they may Know we grieve with " them, & that they may be comforted..

" My Friends & Brethren:

" You now see we carefully observe our Treaties on our Parts, " but you are to consider this Country is full of People, we have " many weak & some wicked People amongst us, these last must be " punished by the Law. The Indians have sometimes wicked Peo- " ple amongst them & they putt them to Death; this is the utmost " that can be done, but the Hearts of all good People amongst the " Christians, & amongst you the Indians, will always be true, we " shall always love one another, our Leagues are to continue to all " Generations.

The Governour then taking the Indians by the Hand dismissed them for this time, & they appointed to meet the Governour again in the Morning to return their Answer.

At a Council had at Philadelphia, in the Great Meeting house, June 5th, 1728.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governr., with the Members of Council before mentioned.

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And Andrew Hamilton, Esquire, And a vast Audience that filled the House & all its Galleries.

Also, Sassoonan or Allummapees, with the Indians.

Edward Farmer, Esquire, & Mr. John Scull, } Interpreters.

ALLUMMAPEES or Sassoonan, in the Name of all the Indians present, desired that his Brethren would hear him, for he is now to Speak to them, & said.

That he was glad to hear his Brother the Governours Words yesterday, they gladden'd his Heart; he now returns thanks for them, & for the Presents which his Brethren has given them. He rejoyces that his Brethren & the Indians are now mett together in this House, & that this great Company is to hear him.

He was glad to hear his Great Friend & Father William Penn so much spoke of yesterday; we had always lived in Love, & hopes all things will be made up in Love; his heart is for Love & Peace, and he desires there may never be any Misunderstanding between us.

He is pleased to see such Care taken, that they may come and discourse freely with their Brethren; they have young Children, and the Christians have many; there are many who now hear what passes, and he desires it may be remembred for ever.

As there are now great Numbers present, he desires that they may all know that the Christians & Indians are to have but one Head, one Heart & one Body; that he looks on them all as one People, & desires they may always so continue.

That they have many among them who are as little Children, weak and helpless, & we should not, because of Weakness, have any Misunderstanding.

When any misunderstanding arises, or when any Injury is done by the Indians to Christians, or by Christians to Indians, each should be heard without any Disturbance, for they & we are one People.

That there are ill People both among the Christians & Indians; he is well pleased with what the Governour said yesterday in Relation to the Accident that has happen'd to the Indians, but 'tis his Desire that no Misunderstanding may arise on that Account. We must unite in Love, all ill things must be done away & forgotten, for we are one People.

That he has now said what he purposes to speak at this time, but in two months he designs to return & speak more fully.

Sassoonan was then told, that if they had any thing at all on their Minds it was now a proper time to speak it, that it might be heard by all this Company.

He thereupon called on Thomas Rutter, Senr., to come & sitt near him, & proceeded to say,

That he is glad of the Friendship & Agreement that subsists between the Indians & Christians; he will always endeavour to strengthen & increase it, he will make the Path between this Town

& the Place where he lives, & as far as the Mingoes, open & plain, he will always keep it wide, & root & cutt up every Bush & Grub that may stand in the Way, (to hinder the Intercourse of Love & Friendship between us; this is the meaning of these Indian Expressions.)

He adds, that he is now come at the Governours Desire, on Account of the late unhappy Accident, that he is pleased to hear what has been said of it, & that Justice is to be done when he comes again after Harvest, it shall then all be buried, he himself will then Cover it deep over with Earth.

He then said he had spoke what he had to say to the Governour, & would speak to James Logan.

He said, he was grown old & was troubled to see the Christians settle on Lands that the Indians had never been paid for, they had settled on his Lands, for which he had never received any thing.

That he is now an old man & must soon die, that his Children may wonder to see all their Fathers Lands gone from them, without his receiving any thing for them, that the Christians now make their Settlements very near them, & they shall have no Place of their own left to live on.

That this may occasion a Difference between their Children & us hereafter, & he would willingly prevent any Misunderstanding that may happen.

Mr. Logan applying to the Governour, craved Leave to answer the Indians, & he spoke to this Effect.

That he had no otherwise been concerned in the Lands of this Province, than as he was entrusted with other Commissioners by the Proprietor to manage his Affairs of Property in his Absence. That their Great Friend, William Penn, had made it his constant Rule never to suffer any Lands to be settled by any of his People, until they were first duly purchased by the Indians, & his Commissioners, who acted for him in his Absence, has as carefully used the same Method, they never agreed to the Settlement of any Lands till the Indians were duly satisfied for them. But he said, he judged it proper in his Audience to take Notice of our great Unhappiness, in having too many amongst us who take a Delight in disturbing the Peace of the Publick by any means in their Power, & amongst other Methods they had endeavoured even to beget an Uneasiness in the Indians, but how little Reason there was for any Complaint against him, or the Commissioners, he should now make appear.

He said, that Sassoonan now present, with divers others of the Indian Chiefs, about ten years since, having a Notion that they had not been fully paid for their Lands, came to Philadelphia to demand what was due to them, that the Business was heard in Council, & he then produced to those Indians a great number of Deeds, by which their Ancestors had fully conveyed, & were as fully paid for all their Lands from Duck Creek to near the Forks of Delaware, & that the Indians were then entirely satisfied with what had been shewn to them, & the Commissioners, to putt an End to all further Claims or Demands of that Kind, in Consideration of their Journey & Trouble,

made them a Present in the Proprietors Name & Behalf, upon which they agreed to sign an absolute Release for all those Lands, & of all Demands whatsoever upon account of the said Purchases, And exhibiting the said Instrument of Release desired it might be read, which was done in these words.

WE, Sassoonan, King of the Delaware Indians, & Pokehais, Metashichay, Aiyamaikan, Pepawmamen, Gheltypeneeman & Opekasset, Chiefs of the said Indians, do acknowledge, that we have seen & heard divers Deeds of Sale read unto us, under the hands & seals of the former Kings, & Chiefs of the Delaware Indians, our Ancesters & Predecessors, who were owners of Lands between Delaware & Sasquehannah Rivers, by which Deeds they have granted & convey'd unto William Penn, Proprietor & Governour in chief of the Province of Pensylvania, & to his Heirs & Assigns, all & singular their Lands, Islands, Woods & Waters, situate between the said two Rivers of Delaware & Sasquehannah, & had received full Satisfaction for the same. And We do further acknowledge that we are fully content & satisfied with the said Grant. And Whereas, the Commissioners or Agents of the said William Penn have been pleased, upon our Visit to this Government to bestow on us, as a free Gift, in the name of the said William Penn, these following Goods, vizt: Two Guns, six Strowd water Coats, six Blankets, six Duffell matchcoats & four Kettles. We therefore, in Gratitude for the said Present, as well in Consideration of the several Grants made by our Ancestors & Predecessors, as of the said several Goods herein before mentioned, the Receipt whereof we do hereby acknowledge, Do by these Presents, for us, Our Heirs & Successors, Grant, Remise, Release & forever Quitt claim unto the said William Penn, his Heirs & Assigns, all the said Lands situate between the said two Rivers of Delaware & Sasquehannah, from Duck Creek to the Mountains on this side Lechay, and all our Estate, Right, Title, Interest, Property, Claim & Demand whatsoever in & to the same, or any part thereof, so that neither We, nor any of us, nor any Person or Persons in the Behalf of any of us, shall or may hereafter lay any Claim to any of the said Lands, or in any wise molest the said William Penn, his Heirs or Assigns, or any Person claiming by, from or under them, them or any of them, in the peaceable & quiet Enjoyment of the same. IN WITNESS, whereof We have hereunto sett our Hands & Seals at Philadelphia, the Seventeenth day of September, in the year of our Lord one thousand seven hundred & eighteen.

Sassoonan ⋈ his mark. (S)
Pokehais ⋈ his mark. (S)
Metashichay ⋈ his mark. (S)
Aiyamackan ⋈ his mark. (S)
Gheltypeneeman ⋈ his mark. (S)
Opekasset ⋈ his mark. (S)
Pepawmamen ⋈ his mark. (S)

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Sealed & Delivered (by all but Pokehais & Pepawmamen who were absent) in the Presence of

W. KEITH.

Jonathan Dickinson, Robert Asheton,
Samuel Preston, Anthony Palmer,
Indian ⋈ Sam, son of Essepenaike,
Indian ⋈ Peter, Pokehais's Nephew or Aweaykoman,
Kachaguesconk ⋈ or Toby,
his
Tussoigh ⋈ eenan,
mark
his
Neesha ⋈ llapy or Andrew,
mark

Sealed and Delivered by Pokehais & Pepawmamen, in the Presence of

James Logan, Robert Asheton,
Neesha ⋈ llapy or Andrew, Clement Plumsted,
Nedawaway ⋈ or Oliver, David Evans.

This Deed being fully explained to the Indians in their own Language, Sassoonan & Opekasset, two of those who had executed it being present, viewed their Marks & acknowledged that it was all true, and that they had been paid for all the Lands therein mentioned; but Sassoonan said, the Lands beyond these Bounds had never been paid for, that these reached no further than a few miles beyond Oley, but that their Lands on Tulpyhocken were seated by the Christians.

Mr. Logan answered, that he understood at the Time that Deed was drawn, & ever since, that Lechay Hills or Mountains stretched away from a litle below Lechay or the Forks of Delaware, to those Hills on Sasquehannah that lie about ten Miles above Pextan. Mr. Farmer said, those Hills passed from Lechay a few Miles above Oley, & reached no further, & that Tulpyhocken Lands lay beyond them.

Mr. Logan proceeded to say, that whether those Lands of Tulpyhocken were within or without the Bounds mentioned in the Deed, he well knew that the Indians some few years since were seated on them, & that he with the other Commissioners, of whom Richard Hill & Isaac Norris now present at the Board were two, would never consent that any settlement should be made on Lands where the Indians are seated, that these Lands were settled wholly against their minds & even without their Knowledge.

Sossoonan said, he could not himself beleive the Christians had settled on them, till he came & with his own Eyes saw the Houses and Fields they had made there.

Mr. Logan proceeded & said, that he was sensible the Palatines were settled there, but as he had observed before, it was without the Consent or Knowledge of any of the Commissioners, And how they

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came hither he should now make this Audience sensible. He said, that when he left his House this morning he did not expect this Affair would be now mentioned, but hearing after he came abroad that it was intended, being unable himself to walk, he had sent for one Paper, which he could easily direct to, that if he could have gone himself amongst his Papers, he could have produced some Letters & Affidavits that would more fully explain the matter, but he hoped that what he had there would be sufficient to make it clearly understood. It was a Petition from those Palatines themselves, directed to the late Governour Sir William Keith & the Council, all wrote in the hand of Patrick Baird, who was then Secretary to the Governour & Clerk of the Council, & who it was that drew it would appear by its Stile. The Petition was read in these Words.

"To His Excellency William Keith, Baronet Governour of Pen-
"sylvania, &c., & the Honble Council.

"The Petition of us the Subscribers, being thirty three Families
"in Number, at present inhabiting Tulpahaca Creek,

"HUMBLY SHEWETH:

"That your Petitioners being Natives of Germany, about fifteen
"years agoe, were by the Great Goodness & Royal Bounty of her
"late Majesty Queen Anne, releived from the Hardships which they
"then suffered in Europe, & were transported into the Colony of
"New York, where they settled. But their Families increasing, &
"being in that Government confined to the scanty allowance of ten
"Acres of Land to each Family, whereon they could not well sub-
"sist, Your Petitioners being informed of the kind Reception which
"their Countreymen usually mett within the Province of Pensylvania,
"& hoping they might with what substance they had acquire larger
"Settlements in that Province, did last year leave their Settlements
"in New York Government & came with their Families into this
"Province, where upon their Arrival they applied themselves to His
"Excellency the Governour, who of his great Goodness permitted
"them to inhabit upon Tulpahaca Creek, (being the farthest inhabit-
"ed part of the Province north west from Philadia.) on Condition
"that they should make full satisfaction to the Proprietor or his
"Agents for such Lands as should be allotted them, when they were
"ready to receive the same. And now your Petitioners understand-
"ing that some Gentlemen, Agents of the Proprietor, have ample
"Powers to dispose of Lands in this Province. And We, your Pe-
"titioners, being willing & ready to purchase, do humbly beseech
"your Excellency & Council to recommend us to the favourable
"Usage of the Proprietors Agents, that upon paying the usual Prices
"for Lands at such Distance from Philadelphia, we may have suffi-
"cient Rights & Titles made to us for such Lands as we shall have
"occasion to buy, that our Children may have some settlement to
"depend on hereafter, and that by your authority we may be freed
"from the Demands of the Indians of that part of the Country who
"pretend a Right thereto. And we humbly beg Leave to inform

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"your Excellency & Council, that there are fifty Families more who "if they may be admitted upon the same conditions are desirous to "come & settle with us. We hope for your favourable Answer to "this our humble Request, & as in Duty bound shall every pray, &c.

N. B. The Names being mostly in a deep German hand could not be read, but by one skill'd in their Writing, they are given as here subjoyned.

Johannes Yans,
Peter Ritt,
Conrad Schitz,
Paltus Unsf,
Toritine Serbo,
Josap Sab,
Jorge Ritt,
Godfreyt Filler,
Joannes Claes Shaver,
Jo Hamoler Ritt,
Antonis Shart,
Johan Peter Pacht,
Jocham Michael Cricht,
Sebastian Pisas,
Andrew Falborn.

Mr. Logan observed upon this Petition, that by the whole Tenour of it, as well as the Writing, 'twas very easy to judge from whom what hand it originally came. It is address'd to HIS EXCELLENCY the Governour Sir William Keith, who (as they are made to speak) OF HIS GREAT GOODNESS PERMITTED THEM to inhabit on Tulpahaca Creek. HIS EXCELLENCY is to recommend them to the Agents, that they may have sufficient Rights & Titles made to them for such Lands, as they should have occasion to buy; And to HIM they apply also, that by HIS AUTHORITY they might be freed from the Demands of the Indians. It will therefore no longer remain a Question, (he said) tho' nothing more than this Petition were produced, by whose Authority these Forreigners had been encouraged to invade these Lands to the manifest Injury of the Proprietor, & to the great abuse of the Indians, who at that very time was seated there, & had their Corn destroyed by those Peoples Creatures. And he now hoped that such of this Audience, as had been so sollicitous to have the Indians complain of James Logan might go away satisfied. They had complained, & they were answered.

Then applying to the Indians, He desired, that tho' those People had seated themselves on Tulpahockin Lands, without the Commissioners Leave or Consent, yet that they would not offer them any violence, or injure them, but wait till such time as that matter could be adjusted.

Mr. Hamilton being at the Board, desired the Governours Leave to say a few Words, which he did to this effect.

It was not difficult, he said, to account for the Indians mentioning at this time the affair of their Lands, considering the Pains some had taken to perswade them they were wrong'd. That having accompany'd the Governour in his late Journey to Mahanatawny, with divers Persons of as good Note as any of this City, on the News sent down to us forreign Indians in that neighbourhood, he had heard

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some things very positively advanced amongst the Inhabitants concerning this Injustice to the Indians, which as he could not then believe to be true, he had wished to see them sett in a true Light, And as there were some now present, who had been very free in talking to that Purpose he thought it would be most proper for these Persons in this Audience to declare openly what they had to say, that if true it may be known who are to bear the Blame, or if false that they may be convinced of their Error.

Thomas Rutter, Senr., who had been call'd on by Sassoonan, stood up & denied he had ever uttered any such thing, as that the Indians had not been satisfied for their Lands, &c.

Mr. Logan further desired the Governours Permission to speak to another Point, which tho' proper to be taken notice of at this Treaty. Yet he intended it, he said, for the sake of the Audience only.

It was with the utmost astonishment, he said, that he first heard the Story he was about to mention, for he could scarce beleive it possible that any Man could be so lost to all Sense of Shame as to form it, but he had received such numerous Accounts, & from such credible Persons of its being said & spread by many, that he could no longer forbear beleiving what he had so repeatedly been assured of.

He was sensible, he said, of our present Unhappiness in having Divisions fomented amongst us. Great pains were taken to infuse into the Minds of such as could be prevailed on, a Spirit of Contention & Faction, To divide & confuse, & by any means to perplex the Government has been the principal aim of some, the instances of it are obvious. But whatever they may do amongst ourselves, it is exceedingly wicked to carry their Endeavours amongst the poor innocent Indians, & to spirit them up to uneasiness by perswading them they are wrong'd in their Lands.

Yet if any thing can be worse, it is that ridiculous, that shameless but malicious Story he rose up to speak concerning himself, vizt: That the Proprietor had sent him over a vast Quantity of Indian Goods, Strowds, & he knew not what, for a Present to the Indians, all which (they were pleased to say) he had converted to his own Use in Trade. This was a home Push against him, for perswade the Indians of this & nothing can incense them more, That this wild & wicked as it is, has been currently said, many of those who now heard him speak very well knew. It required indeed a vast Stock of Assurance to say it, but he was certain none would have so much as to own it to himself, they must deeply blush, if it were possible for such to blush to acknowledge it. It would have been a great Pleasure to him, he said, to have received any thing of that kind, & he would gladly have applied it as intended, but he had been so far from making Advantages that way that his own Generosity to the Indians had cost him more than he should name. Their malice who invented

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& spread this Story is to be pitied, but even the Indians themselves have more sense than to beleive it.

Mr. Hill, first Commissioner of Property, delivered himself to this Purpose.

That it was stipulated at the first Settlement of this Province, between the Proprietor William Penn & the Indians, that they should sell no Lands to private Persons, or to any besides himself, or his Commissioners. And afterwards a Law was Enacted to the same Purpose, that all the Purchases made of the Indians by any other than the Proprietor or his Agents should be entirely void, which Law is still in Force. The Proprietors Commissioners, in his Absence, have ever been strictly carefull to avoid granting any Lands that were not first duly purchased of the Indians, nor would they ever suffer them to be putt off from any Lands on which they were settled, even where they had fully sold all their Right till they would voluntarily remove. The Commissioners therefore would never have agreed to that Settlement of the Palatines on the Tulpyhockin Lands for the Indians were then seated on them, but we see by what Methods they were disturbed. The Gentleman then at Helm, not only took upon him to order the Settlements of the Proprietors Lands, but so far to direct even in these affairs that the application must be made to him also, to be freed by HIS AUTHORITY from the Indians Demands.

It fully appears, therefore, where the sole Foundations of these Complaints lies, & how groundless all the Noise is, that has been made of the Commissioners patenting the Indians Lands. This can arise from no other than a mischievous Design to beget animosities, and raise a Disaffection in the Inhabitants, And 'tis probable, that it is with a view to possess the People with an opinion that all our Treaties with the Indians, with whom a Friendship has been so carefully cultivated from the beginning, & of which we have reaped the happy Fruits are only on Affairs of Property & the Purchase of Lands, & therefore that the Publick should bear no part of the Charge. The contrary of this fully appears at this time, And when the Proprietor or his Commissioners have occasion to treat with the Indians about those Affairs, the Publick has never been troubled with the Expence of it.

The Governour then said.

"My Friends & Brethren:

"We have now brightned the Chain & strengthned our League, & "we are as one People. I have commanded all the English, by a "printed Proclamation published through all the Countrey, to be kind "to the Indians, which you shall hear read unto you & interpreted.

And the same was accordingly interpreted unto them, with which they appeared highly satisfied.

The Governour then enquired of them, if they had not heard that an an Englishman was killed last Fall by some Indians, at John Burt's

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house, in Snake towp, & whether those Indians belonged to them. To which they answered that they had heard of it, that it was not done by any of their People, it was done they say by some of the Menysinek Indians. The Governour said, he had received the like Answer at Conestogoe from the Indians who mett him there, but that He must have Justice done upon the guilty persons, & should demand it from that Nation to wch they belonged, that the Chain might be kept bright & clean, & every Spott be wiped away, And therefore desired to know where those of that Nation lived & under what Head or Chief.

To which they answered, that the Menysineks live at the Forks of Sasquehannah above Meehayomy, & that their Kings name is Kindassowa.

The Governour then said: What I have no further to desire of you is, that you would send some trusty People amongst the neighbouring Indians, & if you can to the Five Nations, to acquaint them with what has pass'd between us, And I give these shoes and Stockings (presenting six pair of each) for the Use of those who are to travel, that they may the better bear their Journey. I shall also give you Bread, Pipes & Tobacco, with five Gallons of Rum to comfort and support You in your Return home.

This the Indians readily agreed to do, & thus the Treaty ended.

At a Council held at Philadelphia, August 6th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Samuel Preston, Richard Hill, Clement Plumsted. } Esq'rs. Isaac Norris,

Was read a Recommendation of the Justices of Oyer & Terminer & Goal Delivery for this Province, in favor of Morgan Herbert, now a Prisoner in Chester Goal, setting forth, that the said Morgan, at a Court of Oyer & Terminer & General Goal Delivery, held before them at Chester, for the said County, on the 21st day of June last, was legally convicted of aiding & abetting Walter & John Winters in the Murther of certain native Indians, & tho' the said offence in strictness of Law may be adjudged Murther, yet that he was no further active therein than by being unhappily in the Company of those who committed it, & that therefore, & from the application of divers Inhabitants who gave a good account of the said Morgan's Behaviour, they were induced to recommend him as an object of the Governrs. Compassion & Mercy, that he may be repreived till the Kings Pleasure is known, & released from Prison, upon giving good Security for his future Behaviour. Upon which the Governour desired the Advice of the

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Board, who having considered the same are of opinion, that Mercy should be shown to the said Morgan Herbert, & that the said Justices be consulted as to the most proper manner of doing it.

At a Council held at Philadia, August 8th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr. Lieut. Govr.

James Logan, Samuel Preston, Richard Hill, Clement Plumsted. Isaac Norris, } Esq'rs.

The Provincial Treasurer exhibited to the Board the Accounts of the late Indian Treaties & Charges upon them, amounting in the whole to Two hundred ninety three pounds ten shillings three pence farthing, which Accounts with all ther Vouchers were carefully examined, & tho' the same amounts to a considerable Sum, yet all the articles therein contained appear to be just; And therefore it is the opinion of the Board, that said Account be recommended to the Assembly for Payment.

At a Council held at the Courtho. of Philadia., August 24th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, Thomas Laurence, Willm. Fishbourn, } Esq'rs.

A List was presented to the Board of the Names of Eighty Palatines, who with their Families making in all about Two hundred Persons, were imported in the Ship Mortonhouse, John Coultas, Master, from Rotterdam, but last from Deal, as by Clearance from the Officers of the Customs there, bearing Date the fifteenth day of June, 1728.

It appeared upon Enquiry that there was no Special License granted for their Transportation, they were then called in, & having declared that their Intentions were to settle & live peaceably in this Province; the several Persons, whose names are subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of September last.

Hans Martin Miller,
Hans Jacob Miller,
Hans Lendert Miller,
Conrad Keer,
Dirik Oordt,
Jacob Hoogh,
Uldrick Shurk,
Uldrick Shurk, Jun.
Joannes Shurk,
Dirik Smith,
Philip Engert,
Christopher Sullenger,

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Jacob Joost,
Clement Tonkleberg,
Pieter Tonkleberg,
Frederick Tonkleberg,
Joan Joost, Smit,
Joan Pieter Melch,
Venunt Stowfer,
Michael Honest,
Godfrey Kenk,
Joannes Coopman,
Bultes Gering,
Hendrick Raan,
Michael Scybel,
Joannes Trankhuy,
Hans Ulrick Dodder,
Hans Dirik Haak,
Hans Dirik Roodt,
Jonas Keeler,
Michael Detemer,
Martin Schoup,
Jacob Stown,
Jacob Brummer,
Joannes Crist,
Joan Elbret Keeler,
Martin Vogelhove,
Joan Mathias Pieter,
Joannes Roare,
Dirik Begtol,
Jacob Bruelasher,
Philip Snolt,
Christopher Benker,
Peter Middlecalf,
Christopher Meng,
Abraham Wolf,
Walter Kenker,
Hans Meyer,
Wilhelm Dillinger,
Rodolph Heler,
Bernard Hensell,
Joannes Triktingest,
Stephen Haltsbeilder,
Joannes Kits Miller.
Michael Rank,
Pieter Lorts,
John Lagerom,
Frederick Leder,
Casper Heydering,
Joannes Edesman,
Joannes Stock,
Hans Faks,
Jonnnes Boot,
Jacob Kegenhover,
Chistian Newswang,
Joannes Kerer,
Velde Grae,
Michael Keiler,
Joannes Weyhelm,
Joannes Bare,
Frans Latshow,
Hans Benlie,
Jacob Witsel,
Jacob Heystoe,
Hans Wolf Dillinger,
Andreas Evie,
Hendrick Isbelman,
Joannes Morgestern,
Joannes Naycomal,

At a Council in the Courtho. of Philadia., Sept. 4th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, Thomas Laurence. } Esq'rs.
Clement Plumsted,

with other Magistrates of the City.

A List was presented of the Names of Thirty Palatines, who with their Families, making in all about One hundred Persons, were imported here in the Ship Albany, Lazarus Oxman Master, from Rotterdam, but last from Portsmouth, as by Clearance from the Officers of the Cus-

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toms there, bearing Date the 22d of June, 1728. It appeared the Master had no Special Licence for their Transportation: they were then called in, & having declared that they were come hither with Intention to settle & live peaceably in this Province, the Several Persons whose Names are Subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of September last.

Georg Frederick Berbesdorf,	Hans Jerig Beigel,
Frederick Christof von Strysflas,	Michael Keim,
Mathias Kaplin,	Casper Reshil,
Daniel Bengal,	Alexander Zaartman,
Simon Shaller,	Jacob Weis,
Philip Showman,	Joannes Schenefelt,
Philip Glaser,	Jerig Boog,
Hans Adam Mire,	Jerig Moots,
Laurence Belits,	Jerig Gertner,
Henry Stelfelt,	Andrew Ablin,
Casper Oort,	Hans Miller,
Fred. Egelberger,	John Bloeman,
Conrad Feboy,	Hans Jerig Riger,
Jacob Danbach,	Martin Calb,
Jacob Beigel,	Joannes Earle Keil,

N. B. This Minute ought to have been Enter'd after the following:

At a Council held at Philadia., September 1st, 1728.

PRESENT:

The Honble. PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Clement Plumsted, } Esquires.
Isaac Norris, Thomas Laurence. }

The Governour informed the Board that on Saturday the 24th ulto, he was given to understand that two Indian Traders from Durham, whose Names, as he afterwards learn't, are Coarse Froom & John Schonhoven, were come to Town, & at a public house had been giving an Account of some Disturbances amongst the Indians in these Parts, upon which he Sent for them, but they appearing to be in Drink, were ordered to attend another time. And that accordingly on Monday last, they presented a Paper setting forth that several Indians from Pechoquealin, had collected Skins for a Present, in order to meet the Governour at Durham Ironworks, in Bucks County, on a Treaty; that they sent for Schonhoven, that he might be the Bearer of a Message, to desire the Governour would appoint a Time to meet them there, & that while Schonhoven was amongst them, an Indian came from Sasquehannah with some Message, upon receiving which they, with their Wives and Children, went off from Pechoquealin, leaving their Corn standing; that the Hurry the Indians seemed to be in, gave these two Traders Cause to apprehend

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some Mischief was on Foot, & that therefore they had taken a Journey hither, to acquaint the Governour with it.

The Governour proceeded & said, he was not so much surpriz'd at this, seeing the Message might be supposed to come from the Chiefs of the five Nations, who, as we are told, are now about Conestogoe, & have a great Power over all our Indians, as he had since been, upon seeing a Letter wrote by Antony Sadowsky to John Petty, both Indian Traders, which being laid before the Board was read, & is in Substance, that an Indian came to Oley, to one Peter Kilwain, & brought account that all the Indians were removed from Shamokin, except Allummapees & Opekasset; that at the Shawanese town called Malson, the Shawanese had hang'd one Timothy Higgins, a Servant of Henry Smith's, an Indian Trader, upon a Pole of their Cabin; that the Indians were to come down to Philadelphia about the full of this Moon, & that it was feared it might not be well with the rest of the Indian Traders in those parts, for that the Indians were dissatisfied. The Governour observed, it was not very likely the Indians would come here, if they had proceeded to such an Outrage, as hanging any of our People; that there seemed to be an Inconsistency in the Relation of this matter, & therefore he hoped it might not be true: And added, that as it highly concerns the Peace & Safety of this Province, to use all necessary Precaution, & to Enquire not only into the Truth of the foregoing Reports, but likewise to find out from what Springs these Uneasinesses amongst the Indians have their Rise; he had, therefore, now called the Council together to consult with them on the most proper Methods to be taken.

The Board having Entered Seriously upon the consideration of what the Governour had said, Observed, that all those Appearances of Disquiet among the Indians seemed more & more to confirm the information which James Letort gave this Board in April last, & that it was not to be doubted but they were, in a great Measure, owing to the Practices of Manawkyhickon, who, in Resentment for the Death of his Relation Wequeala, hang'd last year in Jersey, has been Endeavoring, not only to stir up the Twechtwese or naked Indians, call'd by the French Miamies, against the Christians, but likewise if possible, to sett the five Nations at Variance with the English, and that it is to be apprehended his Practices have had some influence, because several Chiefs of the five Nations who were expected here long since, are not yet come, & our own Indians have likewise neglected to return according to their Appointment at the late Treaties: And altho' the Board do not give Entire Credit to that part of Zadouskis' Letter relating to the hanging of Timothy Higgins, as not believing that the Shawanese durst proceed to such Insolence, Yet they are of Opinion that an Enquiry should be made into the Affair, & that therefore a Message ought forthwith to be dispatch'd to Shamokin, to Enquire of Allummapees & Opekasset why they have failed in coming hither as they promised, & to know of Kakow-watchy, the Chief of the Pechoquealin Indians, why he left that Place, & his

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People afterwards removed so suddenly from it, and to acquaint Shikellima, that as he is appointed (as 'tis said) by the five Nations to preside over the Shawanese, it's expected he will give a good Account of them; that they came into this Government as Strangers, & had Leave to settle amongst us, the Conestogoe Indians becoming their Security, and that 'tis to be hoped they have behaved themselves well: And to let them all know, that if any Mischief is done we do expect & require they will seize the Persons who are guilty of it, that they may be punished, for we must have the same Justice from them that they expect from us, & will not be abused.

It was further considered by the Board, that as the five Nations have an absolute Authority over all our Indians, & may command them as they please, it is of great Importance to remove any Impressions that have been made upon them to the Prejudice of the English, & that by all means 'tis necessary they should be spoke with. It is therefore the Opinion of the Board, that a Message be sent to Conestogoe, to John Wright & Saml. Blunston, Esquires, or some other of the Justices in those parts, that they may Enquire for the Chiefs of the five Nations that lately passed that way towards Maryland, & prevail upon them to come down to us, & if they are gone off from Conestogoe, that Civility should be sent after them with a Message from this Government, to desire them to speak with us before they return their own Countrey; & accordingly Mr. Logan was desired to send an Express to Conestogoe, with a Letter to the said Justices to be communicated to Civility, & that Henry Smith & John Petty should be forthwith sent up to Shamokin with written Directions to apply to the Chiefs there, to the purposes hereinbefore mentioned.

At a Council held in the Courtho. of Philadia., Septemr. 11th, 1728.

PRESENT:

The Hoable PATRICK GORDON, Esqr., Lieut. Govr.

Thomas Laurence, Esquire,

with others of the City Magistrates.

A List was presented of the Names of Forty two Palatines, who with their Families, making in all about Ninety Persons, were imported here in the Ship James Goodwill, David Crockat Master, from Rotterdam, but last from Deal, as by Clearance from the officers of the Customs there, bearing Date the fifteenth day of June, 1728. It appeared there was no special License granted for their Transportation: they were then called in, and having declared that they were come hither with Intention to settle & live peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of September last.

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Johan Casper Steffer,
Johan Casper Steffer, Jun'r.
Uldrick Engelar,
Andreas Knaft,
George Graff,
Joh. Leon'd Holsteinder,
Michael Neff,
Jacob Funk,
Mathias Firrumsler,
Johan Egidius Grin,
Joannes Gurk,
Johan Leon'd Keller,
Isaac Crison,
Jacob Herman,
Thomas Koppenhoffer,
Christian Graaf,
Martin Valk,
Hans Michael Ruiter,
Martin Moeser,
Hendrick Philip Seller,
Frederick Sholl,
Jacob Beyer,
Michael Korr,
Adam Engeler,
Loerenc Durr,
Hans Adam Moesser,
George Shoemaker,
Jacob Kin,
Leon'd Hinker,
Jacob Meckeling,
Teobald Meckeling,
Haus George Seyller,
Jacob Sint,
Hans Vierybank,
Andreas Stickler,
Hans Jacob Slaure,
Joannes Ruspag,
Hans George Metler,
Adam Surmer.

At a Council held at Philadelphia, Octr. 3d, 1728.

PRESENT;

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, William Fishbourn, } Esq'rs.
Samuel Preston, Clement Plumsted. }

The several Returns of Sheriffs & Coroners for the respective Counties of this Province & of Newcastle being laid before the Board, the Governour, with the Advice of the Members present, named the following Persons to fill those Offices for the year ensuing;

For Philadelphia City & County, Owen Owen & Huge Roberts being returned for Sheriffs, & Merick Davies & John Eyer for Coroners. Owen is appointed Sheriff, & Merick Davies Coroner.

For Bucks County, Timothy Smith & John Hall being returned for Sheriffs, & Jonathan Woolston & William Atkinson for Coroners. Timothy Smith is appointed Sheriff, & Jona. Woolston Coroner.

For Chester County, John Taylor & Philip Taylor being returned for Sheriffs, & Robert Parke & John Mendenhall for Coroners. John Taylor is appointed Sheriff, & Robert Parke Coroner.

For New Castle County, William Read & John Gooding being returned for Sheriffs, & Joshua Story & Morgan Morgan for Coroners. William Read is appointed Sheriff, & Morgan Morgan Coroner.

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And Commissions are accordingly ordered to the said Persons for their respective Offices, the Sheriffs giving Security in the Rolls Office, as the Law directs.

The Day following, out of Council.

Returns being likewise made from the Counties of Kent & Sussex, vizt :

For Kent County, William Rodeney & Moses Freeman being returned for Sheriffs, & John Jennings & Samuel Berry for Coroners. Moses Freeman is appointed Sherif, & Samuel Berry Coroner.

For Sussex County, Rives Holt & Robert Smith being returned for Sheriffs, & John Jacobs & Samuel Davis for Coroners. Rives Holt is appointed Sherif, & John Jacobs Coroner.

At a Council held at Philadelphia, October 9th, 1728.

PRESENT :

The Honble PATRICK GORDON, Esqr., Lt. Governer.

James Logan, Clement Plumsted,
Samuel Preston, Thomas Laurence. } Esq'rs.
William Fishbourn,

The Minutes of the 1st of Sept'r. & 3d of Octobr., being read & approved, The Governor laid before the Board a Letter he had received from Capt. Civility, acquainting him that several of the Delaware, Shawanese & Ganawese Indians, were come to Conestogoe, & had brought many Skins with them for a Present to the Governor ; that they purposed to fulfill their Promise of Coming to Philadelphia this Fall, but that the Death of his, Civility's, Child had so much afflicted him that he could not come with them, and therefore, they had all resolved to defer their Visit till next Spring, at wch time they would surely come to the Governor at Philadelphia.

A Letter from Henry Smith and John Petty, from Shamokin, being likewise received, was Communicated to the Board; giving an Account that Sassoonan, Opekasset & Shekillima were sett out from thence for Philadia., that they had met Higgins, who was said to have been hanged, from whom they had understood that some little Differences had accidentally arisen between the Indian Traders & some of the Shawanese, & that they were pursuing their Journey to get a fuller Information of the whole.

The Governor then observing to the Board, that upon several Occasions there is no small Difficulty in getting a Sufficient Number of Members together to make up a Council, proposed an Addition to the present Number ; which being thought necessary, and His Honour having named Mr. Ralph Asheton & Mr. Samuel Hassell as proper Persons to be called to this Board, the said Nomination

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was unanimously approved, & 'TIS ORDERED, that Messrs. Plumsted & Laurence acquaint them herewith.

MEMORANDUM. Sassoonan & Opekasset, with several Delaware Indians, being come to town, waited on the Governour, & desired he would appoint a Time to hear them, & accordingly, a Council was called

At the Courtho. of Philadia, October 10th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Richard Hill, Willm. Fishbourn, Isaac Norris, Clement Plumsted. Samuel Preston, } Esquires.

PRESENT, ALSO:

Sassoonan & Opekasset. } Chiefs of the Delaware Indians.

Shikellima, - - of the five Nations.
Carandowana, alias Robert Hunter.
Oholykon, a Chief of the Brandywine Indians.
with several others.

The Council being mett & the Indians Seated, The Governour, by John Scull, Interpreter, told them that he was glad to see them all well, & that now he was ready to hear what they had to say.

And then Sassoonan, by the said Interpreter, spoke as follows:

He would not, he says, have the Governour take it amiss, that they did not exactly come at the time they appointed, for he was taken very ill; that, however, he is now come to see the Governour.

Then producing a Letter which had been sent him by the Governour, he says: He was exceedingly pleased when he received it, & that he is so well satisfied with what it contains, that ever since he has kept it carefully in his Bosom, & he now returns it to the Governour.

That he is now come from home to see his Brethren, & that some time since, there was a small Misunderstanding between them & us, but that it is now all past & gone, for they remembered it no more, & that he is now come hither to make Every thing smooth & easy between us.

That when their Father, William Penn, was in this country, it was agreed that both Christians & Indians should joyn in removing all Difficulties, & if any Stone or Stump should ly in the Way, that both should joyn their Hands together & help to remove it, that old men & Children might walk safely.

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That the Governour now sees but a very small Number of their People: there are only present some of the Delaware & Brandywine Indians, & none of the Shawanese, but the Govr. must not think strange of it, because at this time of the year they cannot conveniently come; that nevertheless, he now speaks in the Name & Behalf of them all.

He Says: When he was here in the Spring, he was very well pleased with all the Governour then said; he swallowed it all down, & lost not the least part of it, & he now hopes that Every thing between us is quiet & easy.

He wishes that our present Friendship may last as long as the Heavens & the Stars therein, & that no ill grounded Jealousies may ever interrupt it, but that we may ever joyn hands together as Friends & Brethren.

He says the five Nations have often told them that they were as Women only, & desired them to plant Corn & mind their own private Business, for that they would take Care of what related to Peace & War, & that therefore they have ever had good & peaceable Thoughts towards us.

That the Mingoes, or Five Nations, have frequently told them, that it was likewise their Desire that Peace & Friendship should be still kept and preserved between us, as long as the Sun should rise & sett.

He says that the Indians have had good Times ever since the Christians settled here, & he hopes they will still continue so as long as the Sun & the Light shall Endure, & desires there may be no Coldness between us, so as to hurt them, or any of their or our Children. That what he now says comes from his heart, & he speaks honestly & sincerely, for they are not as Words that come from the Mouth & are no more thought of; they proceed from his very heart, & hopes that what has pass'd between the Governour & him has not been anywise misunderstood, & wishes a good Agreement may still subsist between us.

He adds further, That last Spring there was a Difference that happen'd between them & us, but he does not now lay it to our charge; he believes it was the hand of the Supreme Spirit, or God Almighty, & therefore all the Indians think no more of that matter, & they desire what pass'd on that Occasion may be now no more remembred.

He tells the Governour that he hopes all the Differences between them & us will be buried deep & covered up from the Sight, that when our & their Children, in after times, observe the great Friendship that has been between us, it may rejoice & gladden their Hearts. And he now hopes that all Differences are buried, & that the Earth round about is made so smooth & Even that their Children may afterwards say: This is the Place where Our Fathers & our Brethren

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(meaning the Christians) Ended & composed all their Differences, so that now there remain no ffootsteps of them.

What he has now said he hopes all present, both Indians & Christians, have heard, & he will take Care that it shall be made Known & published amongst their People, as far as it is in his Power to do: And that he Will make it Known to the Mingoes, Mahickons & Shawanese, & no part thereof shall be concealed.

That he is greatly rejoyced to see the present good Understanding, & has no more to add at this time.

And then presents Eight Bundles of Skins, as a Confirmation of all the Words he has now Spoken, & delivers them in the Name of the Mingoes, Delaware, Brandywine & Shawanese Indians.

Then the Governour Enquired of them whether they had sent Messages to the five Nations, to lett them know what had pass'd at the last Treaty. To which Sassoonan reply'd that he was very careful of that matter, & had sent notice of it in a few days after he gott home.

The Governour then told them that he was pleased with their Discourse, & received kindly what they had now offered, & that to morrow he would answer what they had said, & provide Provisions for them in their Journey homewards.

The Council adjourned till nine a'clock to morrow Morning.

October 11th, 1728.

Ralph Asheton & Samuel Hazle, Esquires, named in the Minute of the 9th instant as Persons proper to be added to the Board, being introduced to the Governour, did severally take & subscribe the Oaths & Declarations by Law directed, & likewise an Oath for the faithful Discharge of their Duty as Members of Council.

At a Council held in the Courtho. of Philadia., October 11th, 1728.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governour.

Samuel Preston,
William Fishbourn,
Clement Plumsted,
Ralph Asheton,
Samuel Hazle.
} Esquires.

And the same Indians as before.

The Governour spoke to them by the Interpreter, in these Words:

"I was troubled to hear Allummapees was sick, but am glad to "see him well recovered, tho' he comes later than was expected; but "Sickness & Health are not in our Power. God over rules all "things.

"I am very well pleased with all that was said yesterday; it was "spoke from the Heart of a Friend & Brother, in true Love. Words

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" are of no Value in themselves, but as the Heart uttereth them. " The Governour takes them as the Words of his Brother's Soul or " inward Mind, in behalf of all his Brethren, & as such they shall " be kept by us in Writing, that they may be remembred forever.

" As you are now come, tho' few in Number, yet in the Name of " all the Delawares, Shawanese & Mingoes amongst us, to declare " your Friendship, & their resolution to live in Peace unto the Chris- " tians forever, I will again goe over the Links of the Chain made " between William Penn & you, which I repeated to my Brethren at " Conestogoe in the Summer, that they may be the more fresh in your " Minds, because you have no Writing amongst you, & I desire that " you may repeat them over & over again to your Children, & to all " your People, & to all the Indians that live amongst you, that you " may have them at all times stamp'd on your Hearts and fixed in " your View."

Here the nine Articles or Links of the Chain, as in the Treaty held at Conestogoe, were briefly repeated.

Then the Governour proceeded & said.

" My Brethren:

" By those you see that we & you are as one People; we treat " you exactly as we do our own People; we punish those that hurt " an Indian, as if they had hurt ourselves. You know those two " who killed the Indians this last year, were put to Death as if they " had killed Christians; therefore the Indians must make no Differ- " ence, they must treat the Christians that come amongst them as " their Brethren, or as themselves, with Love and without Quarrel- " ling. And if any Indian should be angry, & have any Ill in his " heart towards a Christian, you must seize him & hinder it; but if " any Mischief be done, you must take Care that the Indian be " punish'd for it, that we may have the same Justice as if a Chris- " tian had done the wrong. Therefore you must use your Endeavors " that the Indians who killed the white man last year at Pextang, " tho' they were of another Nation, may be apprehended if they come " amongst you.

" And if any Christian do Injury to an Indian, you must, as " Brethren, come & complain of it; but if it be remote in the Woods, " you must apprehend the Man that did the Wrong, & deliver him " to me, that the Offender may be punished for it according to our " Laws, which will suffer no man to hurt another.

" I accept kindly of your Present, & in Return give you the fol- " lowing Goods for your Winter Clothing, to keep you warm, with " some Powder & Lead to hunt with, & Provisions to support you in " your way home, wishing you heartily a good Journey."

Then the following Goods, which by Order of the Board were gott ready, were delivered to the Indians, vizt:

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6 Strowds,	12 Duffells,
6 Shirts,	1½ Barrell Powder,
12 Blanketts,	1 Cwt. Lead.

with Bread, Rum, Pipes & Tobacco.

After which Sassoonan said: That he is rejoyced to hear what the Governour has now spoke, & will not only remember it carefully, but likewise publish it among all his Friends & Brethren, & returns thanks to the Governour for what he has been pleased to give them.

And they all express'd their Satisfaction by a harmonious Sound peculiar to them, in which they all joyned.

It was afterwards considered by the Board what Present might be proper to be made to Mistress Montour & her husband, Carandowana, & likewise to Shikellima of the five Nations, appointed to reside among the Shawanese, whose Services had been & may yet further be of great Advantage to this Government; And it was agreed that Five Pounds in Bills of Credit, should be given to Mistress Montour & her husband, & two Strouds, one Blankett, one Shirt & Gun, to Shikellima, his Wife & Daughter; & then the Council adjourned.

At a Council held at Philadelphia, Octobr. 15th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	Ralph Asheton,	} Esquires.
Samuel Preston,	Samuel Hazle.	
Thomas Laurence,		

The Representatives of the Freemen of this Province, Elected the first instant, having mett yesterday in Assembly, in pursuance of their Charter & the Law in that Case made & provided, waited this day on the Governour to present to him their Speaker.

And David Lloyd, Esq'r., addressing himself to His Hon'r, acquainted him that the house had been pleased to chuse him to be their Speaker; that he knew it was usual on the like Occasions, to decline that Charge, & to request the Governour that the House might be desired to proceed to another Choice, which, he said, was generally look't upon as a Form only; But that he now Entreated the Governour would look upon that Request from him as his hearty Desire, & he made no Doubt but the House would find a Person better qualified for that Office. To which the Governour answered, that he could not but approve of the Houses prudent Choice of him to be their Speaker; that his known Abilities & long Experience, every way qualify him for the Discharge of that Trust, & that therefore he could not excuse him. The Speaker then desired that the Governour would protect them in their Rights & Privileges as a House;

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That they might have free Access to his Presence, & have a favourable Construction putt on their Proceedings; Which the Governour readily promised. And then the House withdrew & the Council adjourned.

At a Council held at Philadelphia, October 26th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan,	Clement Plumsted,	} Esquires.
Richard Hill,	Thomas Laurence,	
Willm. Fishbourn,	Samuel Hazle.	

The Minutes of the preceeding Council being read & approved—

The Governour acquainted the Board that he was informed Mr. French, the Clerk of New Castle county, died yesterday; whereby sevl. Offices which he held there were now become vacant, & seeing it would be necessary to fill them with able & well qualified Persons, he desired the Board would advise him as to those following, whom he proposed to commissionate, vizt: David French, Esqr., now Attorney General, to be Clerk of the Peace & Prothonotary of the Court of Common Pleas for the said County; Robert Gordon, Esquire, one of the Justices, to be Register of the Probate of Wills, and for granting Letters of Administration; & William Read, Esqr., another of the Justices, to be Clerk of the Orphans Court; & in case the Board should think well of Mr. French's Appointment, he proposed that Mr. William Shaw should succeed him as Attorney General.

Then the Governor laid before the Board a Letter, dated the 22d currt., signed by ten of the Justices of the Peace for Newcastle County, then mett at the Court of Quarter Sessions, & a Petition of Peter Evans, upon both which the Governour desired their Opinion.

And the said letter was read, setting forth, that inasmuch as the Death of Colonel French was soon to be look't for, they hoped the Governour would not only appoint fitt & well qualified Persons to succeed him in his Offices, but likewise such Persons as reside & live among them, according to the Laws & Constitution of their Government; it being the Sentiments of all their Inhabitants, that as well their Records ought to be kept within their Government, as that their Officers ought to reside therein.

Then was read the Petition of Mr. Evans, setting forth that he having a Right & Title to the Office for Probate of Wills, and granting Letters of Administration in & for the Counties upon Delaware, by Patent from the Honourable William Penn, Esquire, late Proprietor, & having been kept out of Possession of the said Office by John French, lately deceased, humbly prays to be admitted to the

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Enjoyment & Possession of the said Office according to the Tenor of his Patent.

The Board having Enter'd into the Consideration hereof, Observed, that the granting of Patents for Publick Offices generally made the Officers less carefull of their Charge, & less sollicitous to please, than those who only hold them at Pleasure. And 'twas considered in the present Case, that since Mr. Evans enjoys by that Patent the Office of Register for the Province, & resides at Philadelphia, it would be a very great Hardship if the Inhabitants of the Counties should be obliged to come up here whenever they had occasion to apply to that Officer, & that it was even to be questioned whether they would submitt thereto, being expressly Contrary to a Law of that Government, whereby it is declared that no Office within the same shall be held by any Person, unless such Officer live & reside in the County wherein he holds his Office, which Law the Majistrates have in View by the foregoing Letter, when they desire, in the Appointment of their Officers, that Regard may be had to their Laws & Constitution.

The Board is therefore of Opinion, that the Office aforesaid ought to be supply'd by some Person residing in the County, who ought to give good Security for the Faithful Discharge thereof, & that Mr. Evans, if he thought himself aggrieved, may have Recourse to the Law. And then the Board agreed to the nomination of the Several Persons before mentioned, to their respective Offices; but observed, that as the due Prosecution of Criminals tends very much to the Reputation of a Government, & that the present Attorney General had acquitted himself in that Office to the general Satisfaction of the Counties, & was very well qualified for the office now to be conferred on him, it might not be improper to continue him Attorney General for some time, & that if another is appointed, Mr. French would undertake to assist him in the Public Prosecutions.

It was remarked by one of the Members, that Mr. Evans, when he received his Patent from the late Proprietor, agreed to pay a certain Sum yearly to a Widow Gentlewoman, a Relation of the Proprietors, but that he had kept back one half thereof for some years past, on Pretence he was not admitted to the full Enjoyment of the said Patent. And 'twas moved whether it would not be reasonable that those who Enjoy these Offices in the respective Counties upon Delaware, should not make good that Sum so withheld, or in Proportion. And the same was left to the Governour's Consideration.

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At a Council held at Philadia, Decemr. 16th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Clement Plumsted,
Isaac Norris, Ralph Asheton,
Samuel Preston, Samuel Hazle.
William Fishbourn,
} Esq'rs.

The Governour laid before the Board a Draught of a Speech which he proposed to make to the house of Representatives of the Province, who were to meet this day, pursuant to their adjournment, & desired their Opinion thereon; & at the same time acquainted them that a Resolve of that House at their last meeting was presented to him, touching which he was now to take the Advice of this Board, because it would be necessary to make Mention thereof in the Speech; and the said Resolve being read, is in these Words:

"October 16th, 1728.

"Upon a Motion made & Question putt, that inasmuch as there "has been of late several Indecencies used towards the Members "of Assembly attending the Service of the Country in Philadelphia, "by rude & disorderly Persons, unknown to this House; Therefore "Resolved, that it be humbly submitted to the Consideration of the "Governour & Council, to make such Order for the Place of next "meeting of the Assembly of this Province, as to them shall seem "most safe for the Members of Assembly & most convenient for the "Dispatch of the Business of the Country.

"Past in the Affirmative."

Whereupon the Board Express'd their Concern that any occasion should be given to the House for such a Request, & unanimously agreed that a great Regard ought to be had thereto; but inasmuch as a Removal from Philadia. may be attended with some Inconveniencies, considering the Severity of the Season & shortness of the Days, & may give some Delay in the Settlement of the public Account with the Offices which are kept here, it may be more expedient that the Session should be held here for some time; & if on further Experience the House shall continue in the same Sentiments, that a Removal is necessary, The Board are of opinion that the same ought to be adjourned to Chester, as the most convenient place for their meeting next to Philadelphia.

The Speech was then read, (the first part thereof was made agreeable to the Mind of the Board above express'd,) & some Alterations being made was approved.

The Council then adjourned till to morrow Morning, at which time the House was to have Notice to attend the Governour.

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At a Council held at Philadelphia, Decemr. 17th, 1728.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieutenant Governour.

Samuel Preston,	Thomas Laurence.	Esq'rs.
William Fishbourn,	Ralph Asheton,	
Clement Plumsted,	Samuel Hazle.	

The House of Representatives, acccording to Order, waited on the Governr., to whom he made the Speech agreed to in the preceeding Minute, which is as follows:

" Mr. Speaker & Gentlemen of the House of Representatives:

" I am perswaded you will not think it proceeds from any Disre-
" gard to your Message to me at your last Adjournment, that your
" present meeting has not been appointed in some other Place than
" this City, in which your Members had been indecently treated;
" For, as ever since my Arrival amongst you it has not only been
" my Inclination, but fixed Purpose, to devote myself to the Service
" of the Country committed to my Care, I should take a much
" greater Pleasure in attending that Service with the People's Repre-
" sentatives, wheresoever their Safety & best Conveniences for the
" Dispatch of Business might call them, than in consulting my own
" Ease, or that of my Family; but having laid this matter before
" the Council, as the Charter Enjoyns, they are of Opinion that,
" considering the Severity of the Season, with the shortness of the
" Days, & that the Settlement of the public Accounts, which is one
" considerable Article of the Houses Business, can no where so con-
" veniently be done as where the Offices are Kept, it may be more
" expedient to hold your Session at least for some time here, & then,
" if on further Experience you find Reason to continue in the same
" Sentiments, that another Place will be more suitable, they agree
" with me that you should adjourn to Chester, which, next to Phila-
" delphia, seems the most convenient Place for your Meeting. In
" the mean time, Gentlemen, I must putt you in mind that a Legis-
" lative Assembly, in Conformity to a British House of Commons,
" is invested with a very great Authority. I hope, therefore, you
" will not be wanting, as well in Regard to yourselves as succeeding
" Assemblies, to make all such Sensible of their Error who shall
" dare to treat it with any Indignity, in which you shall have my
" ready Concurrence, if necessary, as you shall in every thing else
" that may tend to the true Interest & real service of the Publick.

" It is your Zeal for that service, & our Unanimity, Gentlemen,
" that will most effectually contribute to extinguish the small Re-
" mains of a Faction, raised up by the Deepest Ingratitude, &
" cultivated by means that I hope will be of no long Duration; For,
" when on the one hand, I observe that the ancient Settlers, the most
" substantial & judicious of the Inhabitants, who are most deeply
" interest'd in the Peace & Prosperity of the Country, are generally

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" every where easie, & the Dissatisfied are made up of some restless " Persons amongst ourselves, joyned by other turbulent Spirits from " abroad, who, having been uneasy at home thro' the meanness of " their Condition, or Want of Room to display their busie Humours, " tho' they have but very little at Stake, & scarce any thing but their " Noise & Clamour to distinguish them, think fitt to Discharge " themselves here, to the Disquiet of a good & peaceable People; " And while even the most uneasy amongst these cannot point out " one real Grievance in the Administration, for I am sure there shall " be none that is in my Power to Prevent or remedy; when these " things, I say, are considered, I see no Reason to doubt but that " many of those who have been misled, will, on due Reflection, re- " cover themselves, & see how much Union & Order are preferable " to Division & Confusion, & therefore resolve to study the Ways " that lead to their own Peace, as well as that of the Publick; for " this I conceive is the only thing wanting to render the People of " Pensylvania as happy amongst themselves as any now in the " Universe.

" The better to effect this, I must earnestly exhort you, Gentlemen, " in all your Proceedings, to exert that Courage & steady Resolution, " with a becoming Gravity & Solidity, that should ever attend the " Powers of Government, & those concerned in dispensing them. " Government is sacred. It is from God himself, for the Punishment " of Evildoers & the Praise of them that doe well. As you, there- " fore, are one part of the Legislature, which in every Government " is the Supream, & are the Grand Inquisitors of the whole Province, " I now seriously recommend it to you, to consider what Laws already " in being require to be reinforced; & what new ones may be neces- " sary to be enacted for encouraging of Virtue, Sobriety & Industry, " the only means by which a Country can flourish, & for suppress- " ing Disorders of every kind, & more effectually securing to the " People their most momentous Privileges, against every Attempt " to invade them. And so far as the Execution of any of these " shall depend on me, you may assure yourselves that all the Vigi- " lence & Care shall be applied, on my Part, that may contribute to " procure to us that Tranquility which every good Man & lover of " his Country must sincerely wish to see Established.

" What relates to the necessary Provisions for the Exigences of " the Government, with other matters that may require your atten- " tion, I shall leave to your own Consideration, and as any thing " further occurs it shall be communicated to you by Messages; Only " I must make Use of this first Opportunity to acquaint you, that I " have now positive Orders from Britain to provide by a proper " Law, against those Crowds of Forreigners who are yearly pour'd " in upon us, of which the late Assembly took notice in a Message " to me of the 18th of April last. Nor does this arise, as I con- " ceive, from any Dislike to the People themselves, many of whom " we know are peaceable, industrious & well affected, but it seems

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" principally intended to prevent an English Plantation from being " turned into a Colony of Aliens. It may also require our Thoughts " to prevent the Importation of Irish Papists & Convicts, of whom " some of the most notorious, I am credibly informed, have of late " been landed in this River.

" I shall now only add, Gentlemen, that as we are bless'd in a " Sovereign who makes the Happiness of all his Subjects the prin- " cipal View of all his Reign, & in Proprietors who, I am well " assured, have nothing more seriously at Heart than the Prosperity " of the People who hold under them, I hope for the future, there " will be no other Contention known amongst us than who shall " be most forward in making suitable Returns, with gratefull ac- " knowledgements to Heaven, for the vast Privileges we Enjoy."

The Provincial Treasurer laid before the Board an Account of Expenses by him disbursed, on the Treaty with the Indians at Philadia. in October last, amounting to Sixty four Pounds fourteen shillings and three pence, the Vouchers whereof being examined & approved, the same is recommended to the Assembly for Payment. The Treasurer Likewise produced the Account of the Sale of the Presents made by those Indians, amounting to Twenty pounds two Shillings & four pence, for which Sum he is to give the publick credit. An Account was also exhibited to the Board by John Petty, who, together with Henry Smith, was by order of Council of the 1st of Septemr. last, sent up to Shamokin, on a Message to the Chiefs of the Indians there; And the Board taking into Consideration the Fatigue by him undergone in the Journey, at a time when several Reports of Disturbances amongst the Indians made it necessary to dispatch Messengers thither, are of Opinion that the said Petty be allowed Ten pounds, in full for his Expences & Trouble on that Occasion.

At a Council held at Philadia., Febr. 6th, 1728-9.

PRESENT:

The Hoble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan, Richard Hill, Isaac Norris, Samuel Preston, William Fishbourn, Clement Plumsted, Samuel Hazle. } Esq'rs.

A Petition of the Inhabitants of the upper parts of Chester County was laid before the Board & read, setting forth, that by Reason of their Great Distance from the County Town, where Courts are held, Offices are Kept, & Annual Elections made, they ly under very great Inconveniencies, being Obliged in the Recovery of their just Debts, to travel near One hundred miles to obtain a Writt; that for Want

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of a Sufficient Number of Justices, Constables & other Officers, in those parts, no Care is taken of the high ways; Townships are not laid out, nor Bridges built, when there is an apparent Necessity for them; & further, that for Want of a Goal there, several Vagabonds & other dissolute People harbour among them, thinking themselves safe from Justice in so remote a Place: And therefore praying that a Division Line be made between the upper & lower part of the said County, & the upper part thereof Erected into a County, with all the immunities, Rights & Privileges which any other County of this Province does now Enjoy.

The Board taking the same into Consideration, are of Opinion that the Governour is fully impowered by Virtue of his Commission, to grant the Prayer of the Petition, if the Same shall appear necessary; but as it is a matter of some Moment & will require a mature Deliberation, It was moved & agreed that the further Consideration thereof should be deferr'd till to morrow at nine a clock, beforenoon, to which time the Council is adjourned.

At a Council held at Philadia., February 7th, 1728-9.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Clement Plumsted, Richard Hill, Ralph Asheton, Isaac Norris, Samuel Hazle. } Esq'rs.
Willm. Fishbourn,

The Minutes of the three preceeding Councils being read & approved; The Board according to Order, entered into the Consideration of the Petition in the Minute of Yesterday, touching the Division of Chester County, and after the same had been fully considered & debated, the Board came to the following Resolution: That, as well for the Reasons set forth in the said Petition, as the Security, Peace & good Order of the whole Government, there doth appear a real Necessity that a new County should be Erected, according to the Prayer of the said Petition; And Altho' the Power of Erecting Counties is wholly vested in the Proprietary, & therefore in the Governour, as his Lieutenant, yet, inasmuch as this will require the Establishment of Courts of Judicature, with other Alterations, for which a due Provision will best be made by a Law, It may be convenient that the Governour should acquaint the House of Representatives now sitting, with the Application made to him, that the same may be carried on with, & strengthened by the joint & unanimous Concurrence of the whole Legislature.

Then the Accounts of Nicolas & John Sculls & Anthony Zadouski, of Expenses by them disbursed, and for their Trouble on several Messages to the Indians, were presented to the Board & read, But

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no Mention being made of the Time by them Spent in those Services, by which the Board may be the better able to judge what allowance is proper to be made to them, 'TIS ORDERED that the Clerk desire them to amend their Accounts in that Point, & that they be laid before the Board at their next meeting.

Upon a Motion made in behalf of Henry Smith, who, together with John Petty, was sent to Shamokin on a Message to the Chiefs of the Indians there, by order of Council of the 1st of September last, that he be allowed the like Sum which by this Board was thought proper to be given to the said Petty, for his Trouble & Expense in that Journey, RESOLVED, That the Sum of Ten Pounds be paid by the Provincial Treasurer to the said Henry Smith, in full for his Service on that Occasion.

At a Council held at Philadia., February 20th, 1728–9.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Thomas Laurence,	
Samuel Preston,	Samnel Hazle.	

The Minutes of the preceeding Council being read & approved, The Governour informed the Board that pursuant to the Resolve of last Council, he had acquainted the House of Representatives with his Intention to Erect the upper part of the County of Chester into a separate County, in which they had concurred, & desired that an equal Number of the Inhabitants of the Lower & Upper Part might run the Division Line; And therefore, he was now to recommend to the Board to chuse fitt & well qualified Persons for that Service, & to consider of proper Directions for their Guidance therein: And after due Consideration thereof,

'TIS ORDERED that Henry Hayes, Samuel Nutt, Samuel Hollingsworth, Philip Taylor, Elisha Gatchel, James James, John Wright, Tobias Hendricks, Samuel Blunston, Andrew Cornish, Thomas Edwards & John Musgrave, or the Major Part of them, calling to their Assistance John Taylor, the Surveyor of Chester County, meet at some convenient place near Octeraroe Creek or River, & cause a mark'd Line to be run from the most northerly or main Branch of the said Creek Northward, or to the East or West thereof, as it shall be found most convenient, to the next high Ridge of barren or uninhabited Hills that trend from thence to Schuylkill River, keeping as near as may be to the Ridge of the said Hills, & to proceed along the Ridge thereof, yet with as few Changes in the Course as their Situation will admitt, and fixing the same to the most conspicuous, natural & durable Marks, that may be the least subject

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to Uncertainty or Variation; to be Bounded Southward by the Southern Bounds of the Province, & Eastwardly the said Octararoe Creek; and from thence the Northern Line to be by them run as aforesaid, to the said Hills, from thence the said Line along the said Hills to Schuylkill, & from thence the main northern or easterly Branch thereof, above the Forks of the said River, to lie open to the Westward and Northward till further Order shall be given therein; And to make Report of their Proceedings to this Board.

At a Council held at Philadia., Febry 21st, 1728-9.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, Clement Plumsted,
Samuel Preston, Ralph Asheton. } Esq'rs.
Willm. Fishbourn,

The Minutes of the preceeding Council being read & approved,

A Bill sent up from the House of Representatives, Entitled An Act for Erecting of Pounds in Each Township of this Province, was then read, To which several Objections were made, as that it would occasion a very great Charge, which is to be assessed & levied at the Discretion of the Overseers of the Poor, without the Interposition of a Magistrate, with several other Inconveniencies; And that a Supplement to the Law now in force for Erecting & maintaining of Pounds may better answer the End Proposed than this Bill, which appears not to have been sufficiently considered. It was therefore Ordered, that Mr. Hill & Mr. Plumsted carry back the said Bill to the House, & acquaint them with the Objections made thereto.

Then were read two other Bills, Vizt: A Supplement to that part of the Act for raising County Rates & Levies, relating to the killing of Wolves; And a Supplement to the Act Entitled An Act to prevent Swine running at large. Which were Ordered to be returned to the House without any Amendment.

At a Council held at Philadelphia, March 5th, 1728-9.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Samuel Preston,
Richard Hill, Clement Plumsted, } Esq'rs.
Isaac Norris, Thomas Laurence.

The Minutes of the two preceeding Councils being read & approved,

A Bill sent up from the House of Representatives Entituled, AN

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ACT for the Emitting of Fifty thousand Pounds in Bills of Credit, & for the better Support of Government & the trade of this Province, was then read, & the further Consideration thereof deferr'd till Monday, the 10th Currt., to which Time the Board Adjourned.

At a Council held at Philadia., March 10th, 1728–9.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Richard Hill, Isaac Norris, Samuel Preston, William Fishbourn, Clement Plumsted, Thomas Laurence, Samuel Hazle. } Esq'rs.

The Bill for emitting Fifty thousand Pounds in Bills of Credit being again read by Paragraphs, the following Points were proposed to be first Considered, vizt:

1st. The Sum now proper to be Emitted.
2d. At what Interest, &
3dly. The Term of Repayment.

And Each of these being fully spoke to and debated, It is the Opinion of the Board:

That Sixty thousand Pounds for the whole Currency of this Province, or Twenty five thousand Pounds Addition to the Sum now circulating, may be sufficient.

That the Interest ought to continue the same as before, vizt: five per Cent; & The term for Repayment be ten years, or at most not exceed twelve & a half, as in the former Acts of the like Nature.

It was then proposed & agreed to, that the House should be desired to make some Provision for Sterling Payments, & the Proprietary Quittrents, for it was to be feared if these were affected by the Bill it would meet with great Opposition at home. The Consideration of the other Parts of the said Bill was deferr'd till next meeting of Council.

At a Council held at Philadia., March 13th, 1728–9.

PRESENT:

The Honble PATRICK GORDON, Esquire, Lieut: Governour.

Richard Hill, Isaac Norris, Samuel Preston, Clement Plumsted, Samuel Hazle. } Esq'rs.

The further Consideration of the Papermoney Bill was resumed, & the whole being gone through, the Several Amendments, pursuant

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to the Sentiments of the Board at their former Meeting, with many others of less Importance, were all Ordered to be drawn up & carried in with the said Bill to the House at their next Meeting.

At a Council held at Philadia., March 20th, 1728–9.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill,	William Fishbourn,	} Esq'rs.
Isaac Norris,	Thomas Laurence,	
Samuel Preston,	Samuel Hazle.	

The Governour laid before the Board a letter he had Yesterday received from the Governour of Maryland, touching the new County to be erected in this Province, which being read, & it appearing that the same proceeds upon a Misinformation, as if the Persons who were to run the Division Line were to begin at the Mouth of Octoraroe Creek, which is claimed as within the Limits of Maryland, instead of the Head of the said Creek, as mentioned in the Order for lying out the same, The Board are of Opinion that a Copy of said Order be sent to the Governour of Maryland, accompanied with a Letter from the Governour, to show him what Caution has been used in directing the Boundaries of the Said County, so that no umbrage might thereby be given to the Government of Maryland.

The Governour then acquainted the Board that he had considered the amendments proposed to be made to the Bill for emitting more Paper Currency, but was doubtfull whether it would be to any Purpose to send them to the House untill the Chief Points should be adjusted: For tho' he was sensible that the said Currency had been of Service to the Country, & was heartily disposed to favour the People's Inclinations by some reasonable Addition thereto, yet that the Bill as it now stands, cannot be well reconciled to the Order of the Board of Trade of the 11th of May, 1726, to which he Conceived he is in Duty bound to pay all due Obedience, & that therefore, if any such Bill is to be passed by him, it must be in a Manner consistent with his Duty and Honour; that he resolved, notwithstanding the idle talk without Doors, & People's common prejudices on this Subject, to lay the Case on this very Point, in plain terms before the House, that they may be induced to consider the same seriously, & to proceed on a safe and honourable Footing; That he had not yet fully digested his Thoughts, nor reduced them to writing, which he intended to do by Monday next, to which time the House had adjourned, & that if the Board would then meet, he should be glad to have their Sentiments of the same.

Hereupon the Members were of Opinion, that since the bill had been read & considered by this Board, & several Amendments made

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thereto, it would be proper that they should be drawn up & carried in to the House. But if the Governour conceives, from the Order of the Board of Trade or any other Instruction he has, that he cannot safely agree to the said Bill, It's left to the Governour's Prudence to acquaint the House therewith in such manner as he shal think most proper.

March 25th, 1729.

MEMORANDUM. The Governour having last night received a Message from the House, acquainting him that they were mett & desiring to know what he had to lay before them, did this day return the Bill for emitting Fifty thousand Pounds in Bills of Credit, with the following Message:

GENTLEMEN:

" During your Recess I have very seriously & carefully consider-
" ed your Bill for emitting more of Our Paper Currency, and as it
" is a subject that has thoroughly employed my Thoughts, I shall
" deliver them to you in the plainest manner. That there is Occa-
" sion for more of that Currency amongst us I am fully perswaded,
" and I heartily wish there were no Objections against making a
" reasonable addition to it immediately: but there are some which
" so nearly affect the very Being of our Currency, that I cannot
" believe by the Tenour of this Bill, that they have as yet been suf-
" ficiently considered.

" You cannot be unsensible, Gentlemen, that Publick Business in
" Britain is transacted by proper Councils & Boards, appointed by his
" Majesty, for managing the Several Branches of it, & of what regards
" these Plantations the Board of Trade has the general Directions;
" agreeable to their Reports or Representations, all His Majesty's
" Orders that relate to us are issued, for they are his Council for
" such affairs, as his privy Council is for those of Government.
" Their Orders, therefore, are to be considered as coming from His
" Majesty himself, for those from the Throne have scarce ever, I
" believe, been known to vary from Reports or Opinions of that
" Board.

" Now it ought to be remembred, that having received a Letter
" from their Lordships but two days before a former Assembly mett,
" on the 14th of October, 1726, in Discharge of my Duty I
" communicated it to that House, & afterwards furnished them with
" a Copy of it, & in case that should not be at hand I now send you
" another. By this Letter you will perceive that the Secretary of
" the Board, by command from their Lo'ps, having recited the
" Titles of four Several Acts of this Province relating to our Paper
" Currency, expressly says, that '*If any further Acts are pass'd*
" *for Creating more Bills of Credit than those already issued, their*

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" *Lordships will certainly think themselves obliged to lay them* " *before His Majesty for His Disallowance.*

" If from the preceeding Words in the same Paragraph, where it " is said, *that if it were not out of Tenderness to those Persons* " *into whose hands the Bills issued in Pensylvania may have* " *passed, their Lordships would lay the aforementiond Acts before* " *His Majesty to be repealed,*' it should be presumed, that the same " Tenderness may again prevail on their Lordships, We should also " Consider, that the same Board caused an Act for a Paper Currency, " pass'd not many years since in Barbadoes, to be repealed after " the Bills were actually emitted & passing thro' the hands of " the Subjects, to the unspeakable Loss, as I have been informed, of " the Inhabitants of that Island. And if a Plantation of so much " Importance to the Crown, & so much Valued by it as Barbadoes, " was used with such Severity, it will require us very seriously to " consider what we may expect here, after we have had plain " Warning.

" That their Lordships' Apprehensions of the Inconveniences at- " tending such Bills of Credit in this Province arise from some " Misinformation or Mistake, I endeavoured to show their Lordships " in my Letter to their Board, dated the 15th of December, 1726, " of which a Copy was communicated to the Assembly then sitting, " & is in Print. But the Agent to whom that House sent it, from " his Doubt of the Success, as it appears by his Answers, has not " it seems had the Courage to present it, which ought to be a further " Addition to our Caution.

" It is therefore absolutely necessary Gentlemen, that we should " very seriously consider what means we can use that a reasonable " Expectation of Success can be founded on, to procure any addition " without hazarding the Loss of the Bills after they are dispersed " into the hands of the People as so much real money: for what- " ever our Hardships now are, such a Loss would prove infinitely " greater, & plunge us in the utmost Confusion.

" As for my part, I am so fully convinced of the Conveniences " that would attend the further Emission of such a moderate Addi- " tion to our Currency as would not endanger the sinking of its " Credit, that I shall as willingly promote it as any man who would " think himself oblig'd to give a rational Account of his Conduct; " but this can never be, without shewing a due Deference to the " Royal Authority under which we have the Great Happiness to " live, & from which we derive all our Protection.

" It is our Glory as well as Happiness, I say, that we are Sub- " jects to the Crown of Britain, under which & the Proprietor, we " enjoy all our vast Privileges. And as the whole Country seems " unanimous in what is now before us—the Desire of an Addition " to our Bills of Credit—& I have the Pleasure to Observe there is " not one Person I advise with, who agrees not with me in the same

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" real Inclinations to promote it, let us therefore all endeavour, " with the like Unanimity, to obtain what is proposed by methods " truely worthy of rational Men & dutifull Subjects, for by such " means alone we can expect the desired Success.

" But in order to render this practicable, I must Observe that the " Sum must be moderate & not too large. Sixty thousand Pounds " for the whole Currency of the Country is thought to be the ut- " most we should crave.

" To prevent its sinking in Value, the Interest ought to be contin- " ued the same as before. Five per Cent. is very moderate, and less " will be disadvantageous to its Credit.

" The term in the Bill for repaying it appears too long. I would " propose, if a Method can be found to include the whole Currency " in one Act without Hazard, that it should continue re-emitting for " ten years, & then sink in ten years afterwards; the Accounts " may be thus most easily & clearly kept, as I am assured by those " who have had the most Experience in them, and you are sensible " the Country would be freed by it of a considerable Charge as well " as Trouble, for the future.

" But in order to remove Objections against it in Britain, as well as " to be just, some particular Provisions ought to be made for all ster- " ling Payments; for while these are affected by the Bill, or the " Consequences of it, we may ever expect Opposition at home, " which by this Provision might perhaps be totally removed. And " common Justice will tell us, that every Man ought to have the " Real Value of what he bargained for without being injured by Law, " which should secure Men's Rights & not abridge them.

" The Bill having been considered by Paragraphs in Council, some " further Amendments are made which may be of Use when those " most momentuous Points are concluded, in the mean time I here- " with send them.

" When it is drawn clear of such material Objections, I doubt " not but when I, with the Council, Assembly, & all the Merchants " & Gentlemen of Note in the Place, whose Concurrence I hope is " fully to be depended on, shall universally joyn in a humble Repre- " sentation to His Majesty & to his Council, for us, vizt: The " Lords Commissioners for Trade & Plantations, to be negotiated " by a proper Agent, furnished with a sufficient Sum of Money from " hence, we may then with good Reason hope for the Royal Appro- " bation to the Act, or at least that it shall not be repealed, & then " we shall be secure. And this I most Earnestly recommend to your " further serious Consideration.

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At a Council held at Philadia, March 31st, 1729.

PRESENT :

The honble PATRICK GORDON, Esqr., Lieut. Governr.

William Fishbourn, Ralph Asheton,
Clement Plumsted, Samuel Hazle. } Esq'rs.
Thomas Laurence,

The Assembly of this Province having represented to the Governour, by their Address of the 29th currt. now read, that several menacing Speeches had been used towards some Members of their House, as well as private Persons, whereby the Publick Peace was like to be endangered, therefore humbly pray that a Proclamation may be issued, for the more effectual suppressing all Riots & Disorders, & for putting in Force the Statute made in the first year of His I ate Majesty King George, Entituled, An Act for preventing Tumults & riotous Assemblies, & for the more speedy and effectual punishing the Ricters ; And a Draught of the proclamation to the purposes aforesaid being presented to the Board, the same was read & approved, & Ordered to be sealed & forthwith published, & is in these words.

" BY THE HONOURABLE PATRICK GORDON ESQ'R.,
" Lieut. Governour of the Province of Pensylvania & counties of
" Newcastle, Kent & Sussex, upon Delaware.

" A PROCLAMATION.

" WHEREAS, several dissolute & disorderly Persons, press'd
" by their necessitous Circumstances, do daily crowd into this Pro-
" vince, as well from Parts beyond the Sea, as from our neighbouring
" Colonies, & bringing with them Dispositions incompatible with
" that good Order, Peace and Unanimity which are acknowledged
" by all rational Men to be the foundation as well as Glory of all
" Civil Societies, & fomented by some restless Persons amongst
" ourselves, disaffected to the Peace & Prosperity of this Government,
" endeavour to raise heats & animosities amongst the Inhabitants,
" instead of that mutual Love & Benevolence which has hitherto,
" under the Divine Providence, been their Protection, & for which
" this Province has till of late years been remarkably conspicuous,
" since its first Settlement under our late Honourable Proprietor,
" from whom, under His Majesty, we derive all those Liberties &
" Privileges which have raised the Reputation of this Province, &
" endeared to us the Memory of our Honourable Founder. These
" Persons, actuated by such Principles & encouraged by such In-
" cendiaries, setting at naught the just Powers of Government and
" the obedience due thereto, have had the assurance even to menace
" some Members of the Representative Body, now mett in Assembly
" at Philadelphia, as well as private Persons, to the disturbance of
" the Peace & Delay of the publick Service, as has been fully rep-
" resented to me by an Address from that House, declaring their

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" Abhorrence of such Practices, & praying that the Laws now in " Force in England against Riots may, pursuant to a Law of this " Province, be vigorously putt in Execution; THEREFORE, being " firmly resolved to proceed with all due Severity against such Of- " fenders, their Aiders & Abetters, I have thought fitt by & with the " Advice of the Council to Charge, & I do hereby strictly charge " and command all Persons whatsoever within this Province, & par- " ticularly within the City of Philadelphia, that they carefully Keep " His Majesty's Peace within the same. And for that End I hereby " strictly charge & Require the Mayor, Recorder, Magistrates & " other Officers of the City of Philadia, all Justices, Sherifs, Con- " stables & other Officers within the Province of Pennsylvania, to " whom the Conservation of the Publick Peace doth more immediately " belong, to be vigilant & carefull in the Discharge of their respective " Duties, & in case of any Riots, Tumult or other Disorder, they im- " mediately putt in Execution against all such Riotors, their Aiders " & Abetters, the Statute made in the first year of the Reign of Our " late Sovereign Lord KING GEORGE, of blessed Memory, Enti- " tuled An Act for preventing Tumults & riotous Assemblies; & for " the more speedy & effectual punishing the Rioters, Hereby En- " joyning the Justices of His Majestys Peace to cause the said Act " to be published at the respective Courts of Quarter Sessions for " each County of this Province, and the Mayor & Recorder of " Philadelphia to doe the same at the Court of Quarter Sessions for " the said City. And I do moreover strictly Charge & Command " the respective Sherifs in this Province, to hold themselves & their " Officers in a Readiness, upon occasion given, to raise the Posse " Comitatus, as the Laws of Britain in such Cases direct, to quell " & reduce by Force all Tumults, Riots & Disorders which may " happen within their respective Bailywicks, & the Offenders to seize " & apprehend, in order to be committed to Prison & proceeded " against according to the Direction of the said Statute.

" Given under my hand & the Great Seal of the said Province, at " Philadelphia, the thirty first day of March, in the second year of " the Reign of our Sovereign Lord GEORGE the Second, by the " Grace of God King of Great Britain, France & Ireland, Defender " of the Faith, &c., Annoq Domini 1729.

" P. GORDON.

" GOD SAVE THE KING."

—

April 2d, 1729.

MEMORANDUM: The Papermoney Bill being yesterday again brought up to the Governour, & it appearing that the House had conceded to none of the material Amendments proposed, except the Abatement of the Sum from Fifty to Forty thousand Pounds, His Honour sent for the House & spoke to them as followes:

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" Mr. Speaker & Gentlemen of the House of Representatives.

" I can scarce express my astonishment upon perusing the Bill for " Emitting more Paper Currency, as you have now returned it to " me, when I observe there is not the least Amendment in any of the " material Points mentioned in my Message of Tuesday the 25th of " March conceded to, except the Abatement of the Sum from Fifty to " Forty thousand Pounds, which is still greater than the most eager " for a Paper Currency that I meet or can converse with, think either " proper or reasonable for us.

" Surely you have not considered that one full half of the Powers " of Legislature is lodged in me, & that I represent both His Majesty " & our Governour in Chief, otherwise I might have expected to have " heard your Reasons for such a Conduct. I am very sensible there " are some amongst us who, on certain unjustifiable Projects, would " be better pleased to see the Bill rejected than that I should have " the Pleasure of doing an Act so much for the Service of the Peo- " ple of Pensylvania. But as there has always hitherto subsisted " a perfect good Understanding between the Assemblies of this " Province & me, since my first arrival, I hope your House, Gen- " tlemen, will resolve effectually to disappoint all such dishonourable " Views.

" I have openly declared myself a Friend to our Paper Currency, & " desirous to promote an Addition to it in such a manner as I can ac- " count for to His Majesty & my superiors. We are both agreed on the " Necessity of the thing, but unhappily differ in the manner of doing " it. I am for the cautious & most secure part, for the Interest of " the whole Country; and tho' I am of Opinion that the postponing " the Emission till His Majesty's Royal Assent can be had to the " Bill, may give great Delay, yet I believe another Expedient may " be found safe & honourable for us both. You on the other hand, " apprehend there is so little Danger of a Repeal, that you have " even blended our present Currency with the sum to be emitted by " this Bill, by which we evidently hazard both; & indeed 'tis strange " that while we are endeavouring for more money, we should risque " the sum we now have, & by grasping at too much we may probably " loose all. For whatever Construction People are pleased to putt " upon the Directions of my Lords Commissioners of Trade & Plan- " tations, I think myself obliged to pay a due Deference to that " Honble Board, as His Majesty's Council in what regards the Inter- " est & Prosperity of His American Colonies.

" There has been already too much of your Time spent to little " Purpose. I am sorry, yet sure that I am not to blame for it. If it " is really intended that the Necessity we are under should be relieved " by a reasonable Addition to our Paper Currency, the means I think " are not very difficult, in which I shall most chearfully joyn, for I " have nothing so much at Heart as giving Ease & Satisfaction to " the People of this Province. But if it should be insisted on that

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" this Bill, in the Terms 'tis now conceived & none other, must an-
" swer the End proposed, it will be evident to all Men who will cooly
" consider it, that the People's Disappointment will not lie at my
" Door."

To which the House, on the 3d of April, sent the following Address in Answer:

" May it please the Governour,

" It is with great Concern we find ourselves disappointed in ob-
" taining the Governour's Approbation to the Papermoney Act, in
" which we have spent so much Time & Pains, & tho' we could not
" agree to all the Amendments proposed by the Governour, yet we
" hope it will not from thence be inferred that we have come short of
" the Respect which is due to the Governour's Judgement; for we
" conceive it the undoubted Privilege of the House to judge of any
" Amendments made by the Governour, & only agree to them as
" they seem just & agreeable to the true Interest of the People whom
" we represent. And we take Leave to assure the Governour, that
" as it is our earnest Desire to provide for the Necessities of the
" People of this Province, by an addition to our Paper Currency,
" so we shall not be wanting to do every thing on our parts that we
" can conceive safe & honourable, for effecting that good End. But
" forasmuch as this House cannot clearly apprehend, from any thing
" hitherto said to us by the Governour, what it is in which we differ,
" We humbly propose that the Governour will be pleased to agree to a
" Conference with this House, in order to clear up those Difficulties
" which we seem to lye under, in not rightly understanding the
" Governour's Several Messages on the Subject of our Paper Cur-
" rency.

" Signed by Order of the House."

DAVID LLOYD, Speaker.

—

April 4th, 1729.

The Governour at the Request of the House mentioned in the foregoing Address, did this day appoint a Conference at his own House, where were present of the Council,

Richard Hill,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Thomas Laurence,	
Saml. Preston,	Samuel Hazle.	
William Fishbourn,		

And the Speaker with the whole House.

The Governour opened the Conference, & the Debate turned Chiefly on these five Points:

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1st. That Forty thousand Pounds addition to our present Currency would be too large a Sum, & that Twenty five thousand pounds might be sufficient.

2d. That it would injure the Credit of the Money to reduce the Interest from 5 to 4 per Cent.

3d. That to prevent any Opposition to the Bill in England a Provision be made for Sterling Payments, & especially the Proprietary Quitt rents.

4th. That the term for Repayment be ten years: &

5th. That to show a due Deference to the Orders of the Lords Commissioners for Trade & Plantations, the money should not be emitted till the Act be laid before their Lordships, in order to obtain the Royal Assent to the same.

Which Points being fully spoke to & debated, the House withdrew & the Conference Ended.

—

April 5th.

The Governour upon mature Deliberation & the best Advice he could have, thought fitt next day to send a Message to the House desiring that three of their Members might attend him, which being ordered accordingly, His Honour told them to acquaint the House that he having considered what pass'd in the Conference of yesterday, was of Opinion That twenty five thousand Pounds may be a sufficient Addition to our Currency, but if it is thought too small He will agree to Thirty thousand Pounds.

That the Interest be kept up to five per Cent.

That the Term for Repayment be twelve years & a half, agreeable to that in the former Bills: But,

That he must insist the Bill should not take place till nine Months after passing it, & then he would use all his Interest to gett the same confirmed at home.

N. B. Upon the Application of the House the Governour receded from the Nine Months, & agreed that the Emission should be on the 1st of October next.

—

May 1st, 1729.

The House having requested the Governour to appoint some time prior to the 1st of October for the Emission of the Money, His Honour was pleased to condesend thereto, & named the 15th of September for that Purpose.

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At a Council held at Philadelphia, May 2d, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

Richard Hill, Thomas Laurence,
William Fishbourn, Samuel Hazle. } Esq'rs.
Clement Plumsted,

A Return being made by the Order dated the 20th day of February last, for running a Division Line in the County of Chester, & settling the Boundaries of the County to be Erected in the back parts of this Province towards Sasquehannah, pursuant to the Minute of Council of the 20th of said February, the same was read, approved & confirmed, & is in these Words:

"Pursuant to a Warrant from the Honourable Patrick Gordon, "Esquire, Lieutenant Governour of the Province of Pensylvania & "Counties of Newcastle, Kent & Sussex upon Delaware, bearing "Date the 22d day of February last past, We whose Names are here- "unto subscribed, mett together on the 17th day of March, 1728–9, "near the head of the Northern Branch of Octeraroe Creek, & with "the Assistance of John Taylor, Surveyor of the County of Chester, "run a Line from the said Branch to the River Schuylkill, according "to the Courses following, vizt: Beginning on a Corner marked "White Oak standing on the Eastern side of the said Branch on the "Land of John Minshall, thence North East by North five hundred "& Eighty Perches to a Chestnut Oak standing on the top of a "barren Mountain at the head of the Branches of the said Octera- "roe Creek, thence along the said Mountain North East by East "three hundred & forty Perches to a Chestnut Tree, thence North "North East four hundred and forty Perches to a white Oak, by a "Branch of Pequea Creek, thence continuing the same Course along "the said Mountain four hundred & Eighty perches to a Chestnut Oak, "thence North by East seven hundred Perches to a white Oak near "a small Branch of Brandywine Creek, thence North by West six "hundred & sixteen Perches to a Chestnut tree standing on the Top "of a Mountain at the head of the Western Branch of the said "Brandywine Creek, thence East North East along the said Moun- "tain two thousand two hundred & twenty Perches to a Chestnut "tree near the Western Branch of the French Creek, thence North "East by East three hundred & fifty Perches to a red Oak, thence "North East one hundred & ninety Perches to a Chestnut Oak near "another Branch of the said French Creek, thence North East by "North two thousand one hundred Perches to a Corner marked

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" White Oak standing by the said River Schuylkill, about three " Quarters of a Mile below the House of John Burroughs."

Henry Hayes,	Tobias Hendricks,
Samuel Hollingsworth,	Samuel Blunston,
Philip Taylor,	Andrew Cornish,
Elisha Gatchel,	Thomas Edwards,
James James,	John Musgrave.
John Wright,	

And the upper parts of this Province described as aforesaid, are hereby declared to be Erected, & are accordingly Erected into a County, by the name of LANCASTER COUNTY. And 'Tis Ordered that the same be signified to the House of Representatives, & the Return laid before them for their Direction in describing the Boundaries thereof in the Bill now before them for establishing Courts of Judicature, &c. within the same.

Then was read the Bill for Erecting of Pounds as amended by the House, to which the Board agrees, & 'tis Ordered to be returned & engrossed.

The Bill for emitting Papermoney again sent up was likewise read. It appeared the House had agreed to reduce the Sum to Thirty thousand Pounds, to make the Interest five per Cent, but had kept up the Term for Repayment to sixteen years, & had likewise added two Clauses, One for lending the Sum of One thousand Pounds to the Mayor & Commonalty of the City of Philadelphia, for building an Almshouse for the poor of the said City, & the Other for delivering two thousand Pounds to Trustees, in the Bill mentioned for building a House for the Representatives to meet & sitt in General Assembly in the said City.

And the said Bill being agreed to, was ordered to be returned to the House without any further Amendment except this, that the Governr should endeavour if possible to gett the Term of Sixteen years reduced to twelve & a half.

—

May 6th.

MEMORANDUM: The following Message with the Paper money Bill, was this day sent from the Governour to the House:

" Gentlemen:

" I herewith send you the Bill for Emitting Papermoney, to which " I shall not now make any other Objection, if you think it sufficiently " guarded, than, having expected to see the Term for sinking it fixed " at twelve years & a half, as I desired it, I find myself oblig'd, the " longer I consider it, the more to press that it may be reduced, for " these Reasons:

" To have such different Terms for repaying our Bills must neces- " sarily occasion a great Confusion in the Accounts of the office, which " at best will be but too perplexed.

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" That usefull Re-emitting Act in granting a longer Term in this, " will be of much less service to the Country, for 'tis very probable " that most of the Borrowers may covet to take up Money on this " Act only, while the Bills paid in on the other may lie dead in the " office.

" It is a general prevailing Opinion, & especially in Britain, that " the lower the Interest & the longer the Term is the Money will be " of less Credit; And as the last Bill for the same Sum & on the same " Interest was for twelve years & a half, their Lordships of the Board " of Trade will conceive this to be so much worse than the former " by all that Difference, and of Consequence be so much the more " inclined to disapprove it.

" To which I must add, that if it be seriously considered it will " not be found so much to the real Interest of the Borrowers to have " an Opportunity of lying longer in Debt, as some may imagine. " For certainly it is a Disadvantage to any Man to have his " Estate incumbered, if he reaps not a much greater Benefit some " other way.

" Upon the whole I must desire it of you, that as I am most imme- " diately answerable for the Acts I pass, I may be made easy in " them; but I can never be easy to pass an Act that shall be more " disadvantageous to the Currency than any of those that have al- " ready been passed in this Province.

" I take this further Opportunity, Gentlemen, earnestly to recom- " mend to you the Dispatch of all such other Bills as are necessary " to prevent the growing Disorders in this Country. You cannot " but be sensible how much a Provision of this kind is wanted; I " desire you therefore without Delay, to enter into the further Con- " sideration of the several Parts of my first speech to you, & while " we are guarding against the Inundation upon us of such as may add " to these Disorders, you cannot but think with me, that it is absolute- " ly necessary to enable the Inhabitants on Sasquehannah to exert " the Powers of Government in those Parts where great Numbers of " the worst seek a shelter in hopes of Impunity in their greatest Dis- " tance from a more regular Administration of Justice, I must therefore " desire, that you would also dispatch the Bill for erecting those parts " into a County, agreeable to the Steps I have already made in it, that " all those Bills may be passed together & be transmitted home by the " Opportunity that will now very shortly offer."

To this Message the House returned the following Answer:

" May it Please the Governour:

" The House have most maturely considered of that part of the " Governour's Message relating to the Term of years proposed as " an Amendment to the Bill for emitting a Paper Currency, & beg " Leave to say, that we conceive any Alteration from the Bill as it " now stands, will really render it less serviceable for the good Ends

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" for which it is proposed, and for that Reason we hope the Govern-
" our will approve of the Bill as it has been laid before Him by this
" House: And as to the other parts of the Governour's Message,
" we have taken the same into Consideration, & are giving all possi-
" ble Dispatch to the Business recommended to us by the Governour.

" Signed by Order of the House."

DAVID LLOYD, Speaker.

May 6th, 1729.

The Governour reply'd,

That he would have no further Contention about the Bill, but since the House seems so zealously inclined to have it pass as it now stands, he will agree to it.

At a Council held at Philadia., May 8th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

William Fishbourn, Ralph Asheton,
Clement Plumsted, Samuel Hazle. } Esq'rs.
Thomas Laurence,

A Bill sent up from the House Entituled An Act for Erecting the upper parts of the Province of Pensylvania, lying towards Sasquehannah, Conestogoe, Dunnegal, &c., into a County, was read, to which it was proposed & agreed that a Clause should be drawn up & sent to the House, to be inserted therein, for continuing all such suits & actions as are now depending in the County of Chester, against any inhabitant of the County of Lancaster, & that the same may be brought to Issue in the said County of Chester; which with some other small Amendments, were Ordered to be carried down with the Bill.

Then the Governour recommended to the Board to consider of proper Persons to be appointed Justices of Peace of the said County of Lancaster, & be commissionated for the Office of Sherif & Coroner, and the following Persons were named for Justices, vizt: John Wright, Tobias Hendricks, Samuel Blunston, Andrew Cornish, Thomas Edwards, Caleb Peirce, Thomas Reid & Samuel Jones, Esquires.

Robert Barber was likewise appointed Sherif, & Andrew Galbraith Coroner. And Commissions were ordered to be prepared accordingly.

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At a Council held at Philadia. May 9th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Ralph Asheton,
William Fishbourn, Samuel Hazle. } Esq'rs.
Thomas Laurence,

A Bill sent up from the House, Entituled AN ACT for continuing & establishing a Ferry from the Landing place of Joseph Kirkbride, over Delaware River at the Falls, was read & ordered to be returned without any Amendment.

The Bill for Erecting the upper parts of the Province into a County being again sent up, it appeared the House had added a Clause to the same Effect with that proposed by this Board, 'Tis ordered therefore, that the Bill be sent down & engrossed.

At a Council held at Philadia, May 10th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Richard Hill, Thomas Laurence,
William Fishbourn, Ralph Asheton, } Esq'rs.
Clement Plumsted, Samuel Hazle.

Two Bills sent up from the House, vizt: AN ACT for laying a Duty on Negroes imported into this Province: &

AN ACT laying a Duty on Forreigners & Irish Servants, &c. imported into this Province, were read; the first was agreed to without Amendment & ordered to be returned: But to the other some few were proposed, & being drawn up were ordered to be carried in with the Bill.

And the Clerk of the Council reported to the Board that the House had agreed to the said Amendments.

EODEM DIE, P. M.

The House of Representatives waited on the Governour, & the Speaker presented the following Bills to be passed into Laws, which were accordingly by the Governour passed into Laws of this Province, & Warrants were issued for affixing the Great Seal thereto, vizt:

AN ACT for Erecting of Pounds in each Township of this Province.

AN ACT for laying a Duty on Negroes, imported into this Province.

AN ACT Laying a Duty on Forreigners & Irish Servants, &c. imported into this Province.

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An Act for Erecting the upper parts of the Province of Pensylvania lying towards Sasquehannah, Conestogoe, Donegal, &c., into a County.

An Act for continuing and establishing a Ferry from the Landing place of Joseph Kirkbride, over Delaware River at the Falls.

A Supplement to that part of the Act for raising County Rates & Levies relating to the Killing of Wolves.

A Supplement to the Act Entituled An Act to prevent Swine running at large : &

An Act for Emitting of Thirty thousand Pounds in Bills of Credit for the Better support of Government and the Trade of this Province.

Before passing the last mentioned Act the Governour spoke to the House as followes :

" Gentlemen :

" I am now to pass the Bill agreed on by us for the Emission of " Thirty thousand Pounds more of a Paper Currency, about which " so great & so undecent a Noise has been made in some parts of " this Province, that to prevent the Insults intended by some misled " People spirited up to Mischief, we were obliged to putt a late Act " of Parliament in Force amongst us; What Misrepresentations " have been formed—what false Notions propagated—& what Acts " & Methods have been used to impose on the Inhabitants, & in " some measure by whom, it cannot be supposed that I am ignorant. " But I must hereupon repeat what I have diverse times had Occasion " to say, that no Man in the Province is more truly and sincerely a " Friend to this Currency than I am, nor is there one Person in my " Council but who has ever appeared to me, & I am well assured, not- " withstanding the unsufferable Abuses with which they have been " loaded, truly is a very hearty Friend to it, & crave nothing more " than that we may always have it on such a footing as may render " it really usefull to us, by answering the true Ends of a Currency, " that is, that it may ever be Kept up to the Value, or very near it, " for which it was first struck, for in Proportion as it declines from " this, 'tis manifest that it becomes a public Loss.

" I shall also further observe that notwithstanding all the tur- " bulent Noise that has been made, it is more owing, I have now Cause " to believe, to the Endeavours of those who have unjustly been rep- " resented as Enemies to the Currency than to its pretended " Friends, that we have this Bill at all. And I heartily wish that no " Means may be used by any of those who were loudest in their " Clamours for it, to render the Currency fruitless to us by soliciting " a Repeal : For it is but too manifest from what we have seen of " late, that the Confusion of this Government is what a certain Party " amongst us have Principally at Heart. As for my part, I assure " you that all my interest at home with my best Endeavours, shall " be applied towards obtaining the Royal Sanction to it, or at least

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" in preventing its Repeal; with which firm Resolution I now pass " this Bill for Emitting Thirty thousand pounds in Bills of Credit " into a Law of this Province, desiring at the same time, that all due " Care be taken to gett them well & carefully printed on good Paper, " & that they may be signed in a Readiness to be issued at the time " appointed.

" I must further desire you Gentlemen, upon your retiring to your " respective Habitations, that you would take proper Methods (for I " am sure it is every good Man's Duty) to possess the Minds of the " People with just Notions of Government, to animate them to Peace, " Industry, & all those Virtues that make truly for their own greatest " and best Interest. And at your next meeting I hope you will pro- " ceed to the Consideration of what may be further necessary to " reduce us to some Degree of that Tranquility which, with a due " sense of God's Favour to us, & rational Endeavours to make the " best use of them, we might happily enjoy.

Then the House withdrew, & adjourned till the 11th of August next.

At a Council held at Philadia, May 26th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour.

James Logan, Richard Hill, Ralph Asheton, Samuel Hasel. } Esq'rs.

PRESENT ALSO:

Tawenna, Ganyatorouga, Taquatarensaly, als. Civility, } Chiefs of the Conestogoe Indians.

Amawoolit, Peyhiohinas, Yaochkonguess. } Chiefs of the Ganawese.

Peyashickon, Whawyaygamen, Saykalin. } Chiefs of the Delawares.

With several other Indians.

Mr. Peter Bizallion, & Mr. John Scull, } Interpreters.

The Governour told the Indians that he was very glad to see them, and that according to their Desire he had called his Council together to hear what they had to say.

Civility then said that none of the Shawanese are now come, because unhappily, having spent all their Provisions on Rum, they are oblig'd to stay at home to provide Subsistence for their Families.

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by hunting, but that they have contributed equally in the Presents now to be made, and desired those now present to speak in their Name.

Then directing his discourse to the Governr. he said:

That the Governour did not come to see them at Conestogoe the first year after his Arrival, being hindred by Sickness & Business, but that last year he came to see them, for which they were very glad, & then spoke to them particularly about the Death of those Indian People that were then killed. That the Governour then expressed his & all the English People's Sorrow for their Death, & they were afflicted with them, tho' those that were killed were not of their People, but that they are now come to desire the Governr may grieve no more, but that the Memory of the whole may be entirely buried in the Ground & never be remembred.

That the Governour, the English & Indians, are all as one People & one Body, that if they had received any thing on their Stomachs that was harsh & unpleasant, they must bring it all up, purge it out and cleanse their Hearts, that they all may be pure & clean & remain all the same People & Body as before.

That if there has been any Uneasiness between us, or any Cause of Grief, it must be all done away; they are now come for that Purpose; they will sweep the House clean & make the floors all white so that there shall not the least Spot of Blackness remain.

That what the Governour said to them at Conestogoe pleased them much: it was all right & good: they had never any such speech made to them since William Penn was here: And as the Governour then spoke they desire it may so continue, that they may be ever the same; and that the Candle of Love should always burn, and that there should never any Uneasiness subsist between us.

The Conestogoe, Delaware, Shawanese & Ganawese Indians all agree together in what he has said, & resolve forever to continue in the same Love & Friendship with the English as one People, & as they all joyned together in what was said last Spring at Conestogoe, they are now come hither to repeat the same.

As they are all one People with the Christians, so their Children must be the same as the Children of the same Parents, for they are all come from the same Father & Mother.

That as the Governr desired last year at Conestogoe, that the Roads between Philadia, Conestogoe & the five Nations should be clear & open and free from all Grubs & Thorns, & every thing that can give any Offence, they find it is truly so, and are resolved that it shall so remain while they live.

That last year the Governour told them that the English & Indians must help each other as Brethren whenever they meet, that they desire it may be always so; that the English may help them in their Wants & the Indians shall always assist the English when they meet

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them in the woods; they will treat them with clean Food, & in pure vessels, they will eat together out of one clean & white Dish without any Spot, as a MARK of the Cleanness of their Hearts.

That not only the Indians that were at Conestogoe last year, but likewise those of the whole Country, were pleased with what then passed, and that the Presents then delivered to them were divided into the smallest parts, that it might reach all the Indians every where & be read as a Letter.

Then TAWENNA stood up & said:

He never spoke since William Penn was here till last Spring, & he now speaks the same again to the Governour. That Willliam Penn in his house in this town, told them they must be one Body & he now says the same; they are not to be as People bound together to each other, tho' the Bonds were ever so strong, tho' they were of Iron, for even in that case the one may suffer & the other escape, but they & we, as William Penn said, must be as the same Body, half the one & half the other, that cannot be divided, that each may both have Joy & Pain alike, as the same Body without any Division.

William Penn said that as both Nations were to be the same Body, so if by any stroke that Body were to be divided down the middle into two parts so that they fell assunder, This should be looked upon as the Act of Providence, which neither could help or be blamed for.

William Penn further said, that if all the People around us should differ one with another, yet we must not differ but continue the same in Love & Peace; that the Indians ought not hastily to goe out to War but rather should study Peace, & that if they were attacked he & his People would be ready to defend them, for that we are all as one People. William Penn told the Indians that he loved them all; their Men, Women & Children, and that he held Councils with them to perpetuate the Remembrance of his Affection towards them, that the Friendship he had established with them was to last for many Generations; that their old Men die & others come in their Room, who likewise die, but that the Love & Friendship between the English & Indians ought to remain forever.

Tawenna said, he hopes the Governour will continue in the same strong Friendship & Love with all the Indians, for their Hearts are sincere & true, & they all desire that no unhappy Accident may ever interrupt that Peace which now subsists between the English and them, and that all those things which Governour Penn Spoke to them may ever be remembred & imprinted on our & their hearts, so as to be observed inviolably.

That he is well pleased with all that has passed between us & them, but is apprehensive some Mischief may happen through the great Quantities of Rum which are daily carried amongst the Indians, who being greedy of that Liquor are soon debauched by it, & may then easily be stirred up to some unhappy or ill Action.

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That William Penn told them he would not suffer any large Quantity of that Liquor to be brought among them, & that they might stave the Casks & spill it if they found any in the Woods, But that now several Hogsheads of Rum are brought to Conestogoe, & to several other places in their Road & near to them, by which the Indians are tempted not only to sell their Peltry but likewise their Cloathing for that Liquor, & are much impoverished thereby.

That William Penn often told them, If any Cristian committ any foolish or ill Action amongst them, they should seize him without doing him any Violence, & bring such person to him, that the matter might be enquired into, for that he had made a Goal for the bad & wicked amongst his own People.

That William Penn is dead, but he now repeats all these things to the Governour whom he looks upon as in his stead, & as if William Penn himself were alive; that he remembers all these things which were then said, and He has now spoke in the Name of the Conestogoe, Ganawese, Delaware & Shawanese Indians.

CIVILITY added, that he was very uneasy lest any Mischief should happen through the great Plenty of Rum daily brought amongst them. This Concern he said, was not so much for fear of any Accident among the Indians themselves, for if one Indian should kill another they have many ways of making up such an Affair, but his Uneasiness proceeded from an Apprehension lest a Christian should be ill used by any Indian intoxicated with that Liquor.

In Confirmation of all which, & of their Love & Friendship for this Government, they now present a large Parcel of Skins.

The Governour thanked them for their Present, & having expressed his Satisfaction with what they had said, told them he would speak to them to morrow.

At a Council held at Philadia, May 27th, 1729.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, William Fishbourn, } Esq'rs.
Richard Hill, Clement Plumsted. }

And the same Indians as before, with Mr. Bizallion Interpreter.

The Governour spoke to the Indians in these words:

"My Friends & Brethren:

"Seeing your Affairs would not suffer you as you proposed last "year, to make a Return to my Visit to you at Conestogoe, I am "pleased to see you now here, & wish that some of the Shawanese "had also accompanied you; but since you speak for them by their "Direction, & they joyn in your Present, I take what you say as if

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" it were truly spoke by all the four Nations & as an Answer to " what I then spoke.

" I am glad to find by your Discourse, that you not only remember " what I said to you last Spring, but also there are some yet living " amongst you who can remember what your Father William Penn " said to your People when he was in this Countrey, from thence you " see that His Words & mine are the same. He agreed with all " the Indians whom he treated with in the several Points that I laid " before you at Conestogoe: they were his Words, tho' spoken by " me, & as I observe the old Men well remember them, so now I " desire you again to repeat them over to your Children & require " them to remember them & to repeat them again to their Children, " that the same may be continued not only to your Children but " through all Generations & to all Ages.

" By this means we shall truely continue not only Friends & " Brothers, but one People, of one Body, one Mind & one Heart. " We shall rejoyce together & be sorrowfull together, & we shall all " be the same,

" I need not now say any thing further to you on these Heads, for " it would be only to repeat the same things, therefore I only say; " Lett us remember all the good Words that have been spoken. " Your Words have been good & your present is good. I take it " kindly, & I return you some Goods proper to cloath you, with " some Powder & Lead & Provisions for your Journey, that you " may goe from hence chearfully, & make all the Indians over the " whole Countrey chearfull with the Words that have been spoken; " that you & they & all of us may keep the Chain bright & clear " & without Spot forever.

" I must add that you complained much of your suffering by " Rum: many Laws you know have been made against it, but your " People make all these Laws of no Effect; they will have it; they " send their Women for it to all Places where it can be had, & we " can make no Laws against your drinking it; you must make " these yourselves. If your Women would carry none it would be " more easy; I shall endeavour however, to prevent its being carried " in such Quantities.

Then the following Goods which were prepared by Order of the Board, were delivered to them, vizt:

20 Strowd Matchcoats,
8 Blanketts,
8 Duffells,
20 Shirts,
Half a Barrell of Powder,
One hundred weight of Lead,
2 dozen Knives & 1 dozen looking Glasses;

with Rum, Bread, Cheese, Bacon, Tobacco & Pipes. A Gun was

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likewise ordered to be given to Civility. The Governour then took all the Indians by the hand & wished them a safe Journey home. The Bundles of Skins delivered by the Indians being examined & weighed, were found to contain

72	fall Deer Skins, weighing	287 pounds,
79	Summer Do. - -	142
108	Drest Do. - -	119
3	Beavers, - - -	3
17	Racoons, 3 Foxes & 6 Catts.	

Which were ordered to be sold by the Treasurer, & the Produce thereof apply'd towards the Charge of the present Treaty.

At a Council held at Philadia., August 6th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

Samuel Preston, Ralph Asheton,
Clement Plumsted, Samuel Hasel. } Esquires.
Thomas Laurence,

The Account of Samuel Preston, Esqr., Provincial Treasurer, for the Charge of the late Treaty with the Conestogoe Indians in May last, and the Accounts of several other Persons who, by order of this Board had been sent on Messages to the Indians, & had performed other Services, being laid before the Board, were referr'd to James Logan, Clement Plumsted & Thomas Laurence, Esqrs., to examine & report what allowances are proper to be made on the same.

At a Council held at Philadia., August, 9th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

William Fishbourn, Ralph Asheton,
Clement Plumsted, Samuel Hasel. } Esq'rs.
Thomas Laurence,

The Report of the Members appointed by order of the preceeding Council, to examine & Report what Allowances are proper to be made on the several Accounts then exhibited to the Board was read, & is in these words:

"PHILADELPHIA, August 7th, 1729.

"Pursuant to the Order of Council of yesterday, We examined "the Accounts exhibited by the Persons following, & are of Opinion "that they be allowed the several sums after mentioned, vizt:

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To Richard Thomas, Four Pounds, as the price of a Cow killed & eat up by the Indians of the five Nations, in their Return home from Philadia. after the Treaty with them in July, 1727, certified by a Justice of Chester County, & the Value of the Cow ascertained by the Affirmations of two lawfull Men of that County.

To Robert Miller, Sixteen shillings, for Provisions to the said Indians, by his Account affirmed to before a Justice of the Peace.

To Martin Jervis, Four pounds, for Horsehyre, Expence & Trouble in going to Conestogoe, by Order of Council of the 1st of September last, it appearing his Horse was hurt thro' the quickness of the Journey.

To Anthony Morris, One pound seven shillings, for Beer to the Indians at the Treaty in October, 1728, not charged in the Account thereof given in.

To Samuel Preston, Provincial Treasurer, Sixty three pounds two shillings & ten pence, for Presents to the Conestogoe Indians, & their Entertainment at the late Treaty in May last, from which the sum of Forty eight pounds eighteen shillings & one penny is to be deduced, being the amount of the sale of the Present then made to this Government by these Indians.

To Nicholas Scull, Eleven pounds, for twenty two days service on a Message to the Indians at Shamokin & other parts, upon the unhappy Murder of those at Cucussea: And Four pounds extraordinary to him; he being the Person especially entrusted with the Management thereof.

To John Scull, Fifteen Pounds, for thirty days Service on the said Messages, & other services performed; And Three pounds extraordinary for interpreting at Treaties.

To Anthony Zadouski, Seven Pounds, for fourteen days service on the Message aforesaid.

To John Jones, Samuel Cosens, John Philips & William Davies who then attended these Messages, Fifty Shillings each.

All which is humbly submitted to the Consideration of the Board by

J. LOGAN,
THO. LAURENCE.
CLEMT. PLUMSTED.

The Board having considered the several Articles of the above Report do approve of the same, & 'Tis Recommended to the Assembly to order the Payment of the respective Sums therein contained.

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At the Courthouse of Philadelphia, August 19th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governour, with the Mayor, & several of the City & County Magistrates.

A List was Presented of the Names of Seventy five Palatines, who with their Families, making in all about One hundred & Eighty Persons, were imported here in the Ship Mortonhouse, James Coultes Mr., from Rotterdam, but last from Deal, as by Clearance thence dated 21st of June last.

It appeared that the Master had no special License for their Transportation, they were then called in, & having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of 21st of September, 1727.

Dirick Truer,
John Philip Rank,
John Miller,
Conrad Werness,
Casper Dorest,
Dilman Coll,
Michael Urelick,
Michael Boarst,
John Haake,
Rudolph Moore,
Hans Jacob Ratslue,
Uldery Roat,
Nicholas Peffell,
Hendrick Doabs,
Ultiner Snebler,
Hendrick Plino,
Hans Hendrick Ubera,
Christopher Brown,
John Christ Croll,
Hendrick Warner,
Gerard Miller,
Andrew Mayes,
Hans Michael Heyder,
Jacob Creeple,
Peiter Weegar,
Hendrick Sligloff,
Hendrick Sootera,
Hans Uldrick Fry,
Christopher Fry,
Jacob Bowman,
Joan Casper Inkeler,
John Miller,
Jacob Over,
David Mantandon,
John Daniel Worley,
Valentine Fikus,
John Adam Moor,
John Rice,
John Stephen Regensberger,
Dirick Adam Weidle,
Ulrick Croll,
Adam Shamback,
Conrod Killinor,
Joannes Brinkler,
Moret Creetor,
Jacob Reyser,
Jacob Fetter,
Richard Fetter,
Philip Jacob Back,
George Daniel Back,
Michael Weever,
Wendel Wyant,
Andrew Bastian,
Adam Bastian,
Martin Alstadt,
Rudolph Walder,
Hendrick Keelhaver,
Simon Reel,
Nicolas Carver,
Jacob Eshelman,
Welder Keyser,
Abraham Kensinger,
Reynd. Halder,
Baltzar Roer,
Christopher Bumgarner,
Johannes Orde,
Johannes Dirick Greeseman,
Frederick Marsh,

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Christian Longinacre,
Dirick Greeseman,
Carol Arant Mooselback,
Peter Moll,
Joannes Middle.

At the Courtho. of Philadia., September 15th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr. Lieut. Govr,
with the Mayor & several of the City & County Magistrates.

A List was presented of the Names of Fifty nine Palatines, who with their Families, making in all about One hundred & twenty six Persons, were imported here in the Ship Allen, James Craigie, Master, from Rotterdam, but last from Cows, as by Clearance thence dated 7th of July last.

It appeared that the Master had no special License for their Transportation: they were then called in, & having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of September, 1727.

Alexander Mack,
Joannes Mack,
Felte Mack,
Alexander Mack, Jun'r,
Jo. Hendrick Kalklieser,
Andreas Ponne,
William Knipper,
Jacob Lisley,
Christopher Matten,
Paul Libekip,
Christopher Kalklieser,
Christian Cropp,
Andreas Cropp,
Jacob Cropp,
Christian Cropp, Jun'r,
Hans Slachter,
Joannes Pellickhover,
Joannes Kipping,
Hans Erick Cogh,
John Michael Amwig,
Hans Ulrick Kisle,
Ulrick Eley,
Rinard Hammer,
Samuel Galler,
Conrad Iller,
Hans Casper Kulp,
John Martin Crist,
Hisbert Benter,
Hans Contee,
Jacob Possart,
Jacob Wise,
Christian Snyder,
Jacob Snyder,
Joannes Flickinger,
Felte Beecher,
John Jacob Hopback,
Joannes Mackinterfeer,
Christian Kitsintander,
Lenhart Amwigh,
Mathias Snyder,
Joseph Prunder,
Mathias Ultand,
Johannes Prunder,
Jerig Hoffart,
Joannes Perger,
Joannes Weightman,
Philip Mich'l. Fiersler,
Valentine Perhart Hisle,
Hans Jerig Clauser,
Hendrick Holstein,
Feltin Rafer,
Jerig Fetter,

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John Jacob Knight, David Lisley,
Alexander Till, Jacob Possart,
Hendrick Peter Midledorf, Daniel Crop.

At a Council held at Philadelphia, September 20th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, Clement Plumsted,
Isaac Noris, Ralph Asheton,
Samuel Preston, Samuel Hasel.
Willm. Fishbourn, } Esq'rs.

The Governour acquainted the Board that he now called them together to lay before them a News paper published in this Province, printed & sold by Andrew Bradford, numbered 506, in which a Letter signed BRUTUS or CASSIUS, or both, appears to reflect on the King & Government of Great Britain, & to incite the Inhabitants of this Province to throw off all Subjection to the regular & Establish'd Powers of Government. And the same being read & considered by the Board, It is their Opinion that it is a wicked & seditious Libell, tending to introduce Confusion under the Notion of Liberty, and to lessen the just Regard due to Persons in Authority. 'Tis therefore ORDERED, that the said Bradford be immediately taken into Custody, & examined by the Mayor & Recorder of this City, or any other two Justices of the Peace, & that his Dwelling house & printing Office be searcht for the written Copy of the said Libel, that the Author may be discovered, & that the Attorney General commence a Prosecution against the said Bradford for printing & publishing the same.

N. B.

This order being executed & the original Copy found, it appeared to be wrote by one Campbell, a Parson of a dissolute Character who had lived for some time in Newcastle County, but his scandalous Behaviour proving intolerable to his Hearers there he removed to Long Island, from whence he sent that Paper with others of the same Strain, by the Post, to Andrew Bradford, who without considering or knowing its Tendency, printed it as he did other Papers, in his Mercury. His Ignorance therefore, gave some Abatement to the Prosecution; he was however committed, & then Bound over to the Court.

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At a Council held at Philadelphia, October 4th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Thomas Laurence,	Esq'rs.
William Fishbourn,	Ralph Asheton,	
Clement Plumsted,	Samuel Hasel.	

The Governour acquainted the Board that James Smith, now in Philadelphia Goal under Sentence of Death for a Burglary, had been recommended to him by the Justices of the Supreme Court as an Object of Mercy, & that therefore he intended to spare his Life, & order him to be sent out of the Province, if the Board had no Objection thereto, which was readily agreed to.

Returns from the several Counties of the Province & from the County of Newcastle, of Persons Elected for Sheriffs & Coroners the Ensuing year were laid before the Board, and the following Persons were thereto appointed:

For Philadelphia City & County. Charles Read & Nicolas Scull being returned for Sheriffs, & Owen Owen & Merick Davis for Coroners, Charles Read is appointed Sherif, & Owen Owen Coroner.

For Bucks County. Timothy Smith & Joseph Lupton being returned for Sheriffs, & Jonathan Woolston & William Atkinson for Coroners, Timothy Smith is appointed Sherif, & Jonathan Woolston Coroner.

For Chester County. John Taylor & John Owen being returned for Sheriffs, & Robert Parke & Abraham Darlington for Coroners, John Owen is appointed Sherif, & Abraham Darlington Coroner.

For Lancaster County. Robert Barber & John Galbraith being returned for Sheriffs, & Joshua Low & John Mitchel for Coroners, Robert Barber is appointed Sherif & Joshua Low Coroner.

And Commissions were ordered to the said Sheriffs accordingly, they giving Security as the Law Directs. It was likewise ordered that the Sherif of Lancaster County should give Security in the like Sum with that directed to be given by the Sherif of Bucks.

For the County of Newcastle. William Read & John Gooding being returned for Sheriffs, & Morgan Morgan & William Graham for Coroners, William Read is appointed Sherif & Morgan Morgan Coroner.

The day following out of Council.

Returns of the Elections in the Counties of Kent & Sussex being laid before the Governor, His Honr. appointed the Persons following, viz't:

For Kent County. William Rodeney & Moses Freeman being returned for Sheriffs, & Samuel Berry & Edward Jennings for Coroners, William Rodeney is appointed Sherif & Samuel Berry Coroner.

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For Sussex County. Rives Holt & John Jacobs being returned for Sherifs, & Joseph Pemberton & John Roades for Coroners, Rives Holt is appointed Sherif & John Roades Coroner.

At a Council held at Philadelphia, October 15th, 1729.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Clement Plumsted, Ralph Asheton, } Esq'rs.
Thomas Laurence, Samuel Hasel. }

The Representatives of the Freemen of this Province elected the 1st instant, having mett yesterday in Assembly in pursuance of the Charter & the Law in that case made & provided, waited this day on the Governor to present to him their Speaker.

And Andrew Hamilton, Esqr., addressing himself to the Governor said, that the House had thought fitt to chuse him to be their Speaker, and tho' he knew it was very usual for the Person so chosen to decline that Office often times, thro' an affected rather than a real Modesty, (for that he believed most People were inclined to think well enough of themselves,) yet he would so far deviate from that custom as to assure the Governor, that he would endeavour to discharge that Trust to the best of his Ability, if His Honour should think fitt to approve of him.

To which the Governor replyed, that he had always had a very great Regard for the House's Choice, but that now he had a particular Pleasure in declaring his Approbation of a Gentleman, whose Knoweledge & Experience in Business could not fail of rendring him very serviceable to the Country in that Station.

Then the Speaker having thanked the Governor in behalf of the House, requested That they may enjoy Freedom of Speech in all their Propositions & Debates, & that his own unwilling Mistakes & Omissions may be excused; That the Governor would be pleased to putt the most favourable Construction on their Words & Actions.

That upon all necessary Occasions they may have free Access to the Governor.

That their Persons & Estates may be free from all Imprisonments, Arrests & Molestations, during the time of their Sittings in Assembly; & That the Governor would not suffer any Report to be made unto him, of any matters either moved or debated in the house, until they be concluded or resolved upon, nor give any Credit to such Report.

All which the Governor having readily promised the House withdrew.

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At a Council held at Philadelphia, January 1st, 1729–30.

PRESENT:

The Honble. PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Clement Plumsted,	Esq'rs.
Samuel Preston,	Ralph Asheton,	
Will'm. Fishbourn,	Samuel Hasel.	

The Petition of James Sprouse & James Mitchel, now in Philadelphia Goal, under a Sentence of Death for Burglary, were read, praying the Governor's Mercy, & that they may be ordered out of the Province. But the Consideration thereof was deferr'd till the Chief Justice should acquaint the Governr with the Proceedings of the late Court of Oyer & Terminer, where these Criminals were condemned, & likewise give his Opinion how far they appear objects of Compassion.

Application being made in behalf of John Carter of Chester County, Blacksmith, that he may be appointed the officer in that County, to putt in Force a Law of this Province for regulating Weights & Measures, The Board approved of him, & Ordered that he be commissionated for that Purpose.

At a Council held at Philadelphia, January 8th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Clement Plumsted.	Esq'rs.
Samuel Preston,	Samuel Hasel.	
Willm. Fishbourn,		

The Consideration of the Petitions Preferr'd last Council being entred into, & a Letter from the Chief Justice being read, the Members were of Opinion that, seeing the Proof against Mitchel did not appear to the Chief Justice to be full his Life might be spared, and that Sprouse should suffer, unless his Youth & Penitency should induce the Governor to extend his Compassion to him likewise, which was left to the Governor's Discretion.

At a Council held at Philadelphia, January 12th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	William Fishbourn,	Esq'rs.
Samuel Preston,	Clement Plumsted.	

The Governor having prepared a Speech to the House of Representatives now convened, laid the same before the Board for their

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Opinion thereon, which being read & considered was unanimously approved of, & a Notice was ordered to be given the House to attend His Honr. in Council to morrow morning.

At a Council held at Philadelphia, January 13th, 1729-30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

William Fishbourn, Ralph Asheton, Clement Plumsted, Samuel Hasel. Thomas Laurence. } Esq'rs.

The House of Representatives with their Speaker, attending according to order, the Governor spoke to them as followes:

" Mr. Speaker & Gentlemen of the House of Representatives:

" It is with no small Satisfaction I observe that the oftner I have " opportunities given me by the ensuing year, of meeting the Repre- " sentatives of this Province in Assembly, there appears an additional " Increase of that mutual Confidence between me & them which " alone can produce the Harmony wherein the true happiness of " Government consists.

" And on this Occasion I cannot but repeat the Notice I took at " my first Entrance on the Administration, of what the People under " my Care might expect from my former Engagements and Course " of Life, for I cannot now doubt but my continued Endeavours to " discharge my present Trust with plainess & Candour, free from " any mixture of Art which I have ever been a Stranger to, has " under Divine Providence greatly contributed to my Success with a " People who have stood distinguished for the like Qualities amongst " the rest of Mankind.

" And as this Conduct therefore naturally begets a firm and mu- " tual Dependance, I shall have the less Occasion at this time to " renew to you those Assurances I have constantly given, of my " Readiness to concur in whatever may Promote the real Interest & " Honour of this Colony. I have hitherto demonstrated my sincere " Inclination to advance these, nor have the Assemblies in Return, " been wanting on their Parts to express their Confidence in me.

" And as it was truly in pursuance of this Inclination that I gave " my Assent to our last Act for the Emission of Thirty thousand " Pounds in Bills of Credit, so from the same Disposition I have to the " utmost of my Power, laboured to recommend it to our Superiors at " home, in such a manner as might either obtain the Royal Sanction " thereto or at least secure it from a Repeal. But hitherto I have not " had the good Fortune to know with any Certainty, how my Conduct " is approved, or with what success the Act itself may be attended.

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"But as I chiefly grounded my Judgement of the Necessity of "such Emission, and of the Benefit it might prove to the whole "Province, upon the Confidence I had in the Justice of that Assem- "bly's Representation, so I can with great Truth say it was from "these motives that I gave my Assent to that Act, to which as I then "did, I shall always most heartily wish the happiest Issue.

"I need not now I hope, Gentlemen, putt you in mind of the great "Advantage of Unanimity in all Publick Councils, nor how much it "will contribute to the Dispatch as well as Justice of all your De- "liberations. For the Consideration of the Blessings we enjoy under "a most Gracious Sovereign, & under Proprietors full of Tender- "ness & Affection for a People whose real Happiness & Honour "they are on all occasions desirous to promote, I am perswaded "cannot fail of leading you through the Justest Principle of Grati- "tude to a sedulous & sollicitous Discharge of your Duty, both to "your Superiors & to those you represent.

January 16th, 1729-30.

A Petition of several Germans praying to be naturalized, having been presented to the Governor, His Honr. after a strict Enquiry into their Characters & advising thereon, thought fitt to send the following Message to the House:

"Gentlemen:

"Upon Application made to me in behalf of several Germans, "now Inhabitants of the County of Lancaster, that they may enjoy "the Rights & Privileges of English Subjects, & for that End praying "to be naturalized; I have made Enquiry & find that those whose "names are subjoyned to a Petition that will be laid before your "House are principally such who many years since came into this "Province under a particular Agreement with our late Honourable "Proprietor at London, & have regularly taken up lands under him. "It likewise appears to me by good Information, that they have "hitherto behaved themselves well, and have generally so good a "Character for Honesty & Industry as deserves the Esteem of this "Government, & a Mark of its Regard for them. I am therefore "inclined from these Considerations to favour their Request, & "hope you will joyn with me in passing a Bill for their Naturaliza- "tion.

"I have likewise received a favourable Character of John Neag- "ley, Bernard Reser & John Wistre, of Philadia. County, whose "names may be inserted in the said Bill with those now recom- "mended."

P. GORDON.

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At a Council held at Philadelphia, Janry. 29th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence,
Isaac Norris, Samuel Hasel. } Esq'rs.
Clement Plumsted,

The following Bills being sent up by the House of Representatives were read, vizt:

AN ACT for better Enabling divers Inhabitants of the Province of Pensylvania to hold Lands, & to invest them with the Privileges of natural born Subjects of the said Province.

AN ACT for Regulating Pedlars, Vendues, &c: and

AN ACT imposing a Duty on Persons convicted of heinous Crimes, & to prevent poor & impotent Persons being imported into the Province of Pensylvania.

Some small Amendments being made to the first of these, were ordered to be sent down with the Bill, and the Consideration of the other two was deferred till to morrow.

At a Council held at Philadelphia, Janr. 30th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence,
Isaac Norris, Ralph Asheton, } Esq'rs.
Samuel Preston, Samuel Hasel.
Clemt. Plumsted,

The Consideration of the Bills mentioned in the foregoing Minute being entred into, several Amendments to each were proposed, as was likewise a Clause to the Bill imposing a Duty on Persons convicted of heinous Crimes, &c., by which the Examination of all Servants and Passengers imported into Philadelphia, should be taken before the Mayor of the said City for the time being, & that all Sales & Assignments of Servants within the said City, should be made before him & none other, & the same was drawn up, together with the several Amendments, and ordered to be sent down to the House with the said Bills.

At a Council held at Philadelphia, February 6th, 1729–30.

PRESENT:

The honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence,
Samuel Preston, Samuel Hasel. } Esq'rs.
William Fishbourn,

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The three Bills sent down with Amendments being returned, were read, & it appeared that the House had agreed to all those which were proposed to be made to these two, vizt: for Enabling divers Inhabitants to hold Lands, &c., and for regulating Pedlars, Vendues, &c., and likewise to the Clause & several of the Amendments proposed to the Bill imposing a Duty on Persons convicted of heinous Crimes, &c., and assigned Reasons for their rejecting others; Which being considered by the Board, they are of Opinion that the said Bills stand as now amended, & be returned to the House in order to be engrossed. Then were read the two following Bills sent up from the House, vizt:

A SUPPLEMENTARY ACT to an Act of Assembly of this Province, Entituled An Act against buying Lands of the Natives.

AN ACT for continuing the Encouragement for raising good Hemp within this Province, & imposing certain Penalties on Persons manufacturing or working up unsound & unmerchantable Hemp into Cordage and Cables.

The first of which was agreed to without any Amendments, and to the other it was proposed that the Ropemaker should take an Oath or Affirmation, to be administred to him by the Officer appointed by the Act, that he will not work up or make, or cause to be wrought up or made in Cables or Hausers, any Dew-rated or unmerchantable water-rated Hemp, or use any other Sort of Hemp therein but good & sufficient water-rated Hemp, according to the true Intent & meaning of the Act: Which Amendment being drawn up, was ordered to be sent down with the said Bills.

At a Council held at Philadelphia, February 10th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Isaac Norris, Samuel Preston, William Fishbourn, Thomas Laurence. } Esq'rs.

The Governor acquainted the Board that the House had agreed to the Amendment made to the Bill for continuing the Encouragement for raising good Hemp, &c.

Then was read a Bill sent up from the House, Entituled,

AN ACT for the Relief of insolvent Debtors within the Province of Pensylvania.

And after some time spent thereon, the further Consideration of the said Bill was deferr'd till the next meeting of Council.

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At a Council held at Philadelphia, Febry. 11th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Ralph Asheton, } Esq'rs.
William Fishbourn, Samuel Hasel. }

The Bill for the Relief of Insolvent Debtors was again read, to which several Amendments were proposed, founded on the following Observations:

1st. That as this bill nearly affects Creditors who are to recover their just Rights from those who have disappointed them, all due Care should be taken that Justice be done to the honest Creditor in the best manner, & at the same time that no unfortunate Debtor be oppressed with Severities that are of no Benefit to the Creditor, & that notwithstanding in Britain they have made such Provision for themselves, yet as an Act of the same Kind made here may affect Creditors in Britain, unless there be some Provision for such Cases it may endanger the whole Act.

That altho' in Britain they are wholly Strangers to Servitude as practised amongst us, or binding of Persons otherwise than as Apprentices, & therefore none of their Acts have ever Directed Satisfaction to be made for Debts by any such means, yet in those Countries, where great part of the Work is performed by Persons of such Condition, & nothing is more common than for Husbandmen & others to lay out their money in Purchases of this Sort, 'tis highly reasonable that People fitt for Labour, or performing any Service by which they can earn Money, should by the same Method make Satisfaction for their just Debts.

3. That those parts of the Bill relating to Goalers and the Regulation of Prisons, appear to have been taken from two British Acts of Parliament, for the Prevention of Abuses in their Prisons, which by the publick Prints have been very exorbitant, & undoubtedly it should be putt out of every Officer's Power to committ any. But as our Circumstances differ, Care should be taken that while on the one hand we guard against Abuses, we do not on the other render the Execution of Justice, if not impracticable at least very difficult, especially when the odd humours & Tempers of many of those who are most likely to be committed are considered, so that it may be doubted whether any Person will be prevailed on for the slender Profits of the Place to undertake so troublesome a Charge.

And Amendments being accordingly drawn up were Ordered to be carried into the House with the said Bill.

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February 11th.

MEMORANDUM: The Governour having received on the 9th currt., a Resolve of the House in these Words, vizt:

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" DIE LUNÆ, Febry. 9th, P. M.

" Pursuant to the Resolve of Saturday last, the House resumed " the Consideration of a Motion made by divers members of this " House, that a Bill be brought in for the Emitting for the term of " sixteen years, the principal Sums & Quotas of money that have " been or shall be paid into the General Loan Office of this Province, " upon the foot of the several former Acts of Assembly of the said " Province, (exclusive of the last thirty thousand pound Act,) for " Emitting divers Sums of money in Bills of Credit, And it being " moved that before this House proceed to any further Resolve " thereupon, the Governor be acquainted that the said Matter is now " before them for their Consideration, & that the House desires to " know what Accounts the Governor hath received, touching the " former Paper money Acts that have been transmitted to England, " & what Success is like to attend them; It is upon the Question, " resolved in the Affirmative, N. C. D."

His Honour desired the House to lay before him the several Letters which they had received from the Honble the Proprietor & Micajah Perry, Esquire, their Agents on the Subject of Paper money; which being accordingly done, The Governor after mature Consideration of the whole, thought fitt to send a written Message to the House, in these Words:

GENTLEMEN:

" When I received the Message by four of your Members, by " which I find a motion had been made in your House, that a Bill " be brought in for Re-emitting for the term of Sixteen years, all " the principal Sums or Quotas of money that have been or shall be " brought into the General Loan Office, & thereupon you desire to " know what Accounts I have received touching the former Paper " money Acts that have been transmitted to England, and what " Success is like to attend them, Though I was at no loss then to " return an Answer, yet having reason to believe you had received " such Accounts both from the Proprietors & your Agent as might " fully give you the Sense of our Superiors at home, by whose Judge- " ment these Bills must stand or fall, I was desirous to see also their " Letters, the View of which has rather confirmed than altered my " former Opinion, which I shall now give you very freely, as fol- " lows:

" How far I have been disposed to consult the Ease, to advance " the Interest & favour the Inclinations of the good People of this " Province, I observed to you in my late Speech, & I hope I have " from time to time given all the possible Demonstrations of this " that have been in my Power, & I know not how I can at this time " give you a better Proof of the same than to assure you, that from " all the Lights I have received, nothing in my Judgement can be " more unreasonable, nor in Effect may prove more destructive to the

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" Interest of the Province, than to make any further Attempts what-
" soever in relation to our Paper Currency; for as I conceive the
" least step made in it at this or any other time, till the Acts we al-
" ready have are better secured, will certainly endanger the whole,
" & further draw down a Censure on us from the Ministry for so
" precipitated a Conduct, that might prove extremely to the Disad-
" vantage of the Province.

" And as for my own Part, though I must say that I have the
" strongest Inclinations to gratify the Desires of the Inhabitants,
" when regularly handed to me by their Representatives, Yet I am
" sure that should I now pass any other Act for a further Emission,
" I should be so far from benefiting the Countrey by it, that I should
" render myself entirely incapable of doing it any further Service;
" for I should so effectually ruin my Credit with all those about His
" Majesty on whom we must ever depend, that it would be in vain to
" apply for any Favour whatsoever for the future, & therefore I
" shall never on any Consideration, concur in what would be attend-
" ed with such pernicious Consequences; And I must now earnestly
" recommend it to the House, that instead of proceeding in this Mo-
" tion, they would on the other hand resolve on such Measures as
" may more effectually secure the Bills already transmitted from a
" Repeal, of which they are not out of Danger.

" And as to the Re-Emission of the moneys already paid in &
" now lying in the Office, of which I hear there is a considerable
" Sum, you are sensible that it is all subject to the Re-emitting Act
" of which above six years are yet unexpired—a Term that no Man
" who really wants money, can reasonably think too short for him to
" continue a Debtor, or to keep his Estate under an Incumbrance.
" And for the Payments that are to be made by the last Act, they
" will come in such small Portions that the Decrease of the Currency
" will be very slowly felt, & for some years be scarcely perceived.

" But on this occasion I cannot forbear observing on Mr. Perry's
" Letter, that if what he says of Mr. Penn be just, the Gentleman
" last named had certainly altered his Sentiments before he wrote
" to me, for tho' the Bill gave him great Apprehensions & he was
" very doubtfull of its success, yet he expresses all the Tenderness
" for its Preservation that could be expected from the heartiest
" Friend to it. I am apt therefore to believe Mr. Perry was not
" fully informed on the Subject when he wrote that Letter."

At a Council held at Philadelphia, Febry. 12th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Ralph Asheton, Samuel Hasel. } Esq'rs.
Willm. Fishbourn,
Thomas Laurence,

Two Bills sent up from the House being read, vizt:

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AN ACT for lending the sum of Three hundred Pounds in Bills of Credit, for building a Prison & Courthouse in Lancaster County.

A SUPPLEMENT to the Act Entituled An Act for preventing clandestine Marriages.

The first was ordered to be returned to the House, without Amendment, & some few being proposed to the other, were drawn up & likewise ordered to be carried in with the Bill.

At a Council held at Philadelphia, Febry. 13th, 1729-30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Willm. Fishbourn, Clement Plumsted, Thomas Laurence, Samuel Hasel. } Esq'rs.

A Bill sent up from the House Entituled,

AN ACT laying an Excise on all Wine, Rum, Brandy & other Spirits retailed in this Province was read, & ordered to be returned without Amendment.

Then were read the two Bills again sent up, vizt: A Supplement to the Act for preventing clandestine Marriages, & the Act for the Relief of Insolvent Debtors. It appeared that the House had agreed to all the Amendments proposed to the first, & the same was therefore ordered to be sent down and Engrossed. It likewise appeared the House had conceded only to a few of the Amendments proposed to the other, whereupon the whole Bill was again had under Consideration, & after a long Debate thereon (During which came in Samuel Preston, Esquire,) It was agreed that the same be returned to the House with a verbal Message to this Effect:

That the Governor is of Opinion this Bill, being of great Moment, may require further Consideration, and several Amendments to prevent any ill Consequences that may attend it. But if the House do insist upon having it passed with the other Bills, the Governor will agree to it.

EODEM DIE, P. M.

The Governor, attended by William Fishbourn & Samuel Hasel, Esquires, received the House of Representatives at his own House, & the Speaker having presented the following Bills to be passed into Laws, they were accordingly passed into Laws of this Province by the Governor, & Warrants issued for affixing the Great Seal thereto, vizt:

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AN ACT for the Relief of Insolvent Debtors within the Province of Pensylvania.

AN ACT for the better Enabling divers Inhabitants of the Province of Pensylvania to hold Lands, & to invest them with the Privileges of natural born Subjects of the said Province.

AN ACT imposing a Duty on Persons convicted of heinous Crimes, & to prevent poor & impotent Persons being imported into the Province of Pensylvania.

AN ACT for continuing the Encouragement for raising good Hemp within this Province, & imposing certain Penalties on Persons manufacturing or working up unsound & unmerchantable Hemp into Cordage or Cables.

AN ACT laying an Excise on all Wine, Rum, Brandy & other Spirits, retailed in this Province.

A SUPPLEMENT to the Act Entituled An Act to prevent clandestine Marriages.

A SUPPLEMENTARY ACT to an Act of Assembly of this Province, Entituled An Act against buying Lands of the Natives.

AN ACT for regulating Pedlars, Vendues, &c., and AN ACT for lending the Sum of Three hundred Pounds in Bills of Credit for Building a Prison & Courthouse in Lancaster County.

The Speaker likewise presented the Governor with an Order on the Provincial Treasurer for One thousand Pounds for His Support this current year, for which His Honour having thanked the House they withdrew.

At a Council held at Philadelphia, Febry. 19th, 1729–30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,
Isaac Norris,
Samuel Preston,
Willm. Fishbourn,
Clement Plumsted,
Thomas Laurence,
Ralph Asheton.
} Esq'rs.

The Governor acquainted the Board that whereas, by the Law for Erecting Lancaster County, John Wright, Caleb Pierce, Thomas Edwards & James Mitchel, or any three of them, are empowered to purchase for the use of the said County, a convenient piece of Land to be approved of by the Governor, & thereon to build a Courthouse & Prison, and that now the said John Wright, Caleb Pierce & James Mitchel, have by a Certificat under their hands, signified that they have agreed upon a Lott of Land for the Uses aforesaid, lying on or near a small Run of Water, between the Plantations of Roody Mire, Michael Shank & Jacob Imble, about ten Miles from Sasquehannah

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River, and prayed his approbation of the same. The Governor therefore referr'd the matter to the Consideration of the Board, whether the Situation of the Place those Gentlemen had pitched on for a Town might be fitt to be confirmed, & that a Town should accordingly be fixed there. But the Question being asked to whom the Land they had made choice of now belongs, & who has the Property of it, because it may be in such hands as will not part with it, or at least on reasonable terms for that use, and this not being known by any at the Board, it was deferr'd till such time as that Point could be ascertained. But as it is presumed for any thing that is yet known, to be unsurveyed Land, & that the Right is only in the Proprietor, It is the Opinion of the Board that it is more proper to be granted by the Proprietor for such uses, than by any other Person.

The Governor further acquainted the Board that it was necessary a new Commission of the Peace for Chester County should be issued, for that divers of those who are named in the last having declined to act, there is a great Want of Magistrates in some Places of the County which should immediately be supplied by others, & that he had some very good Reasons for leaving out one, vizt: George Asheton, who had acted but too much; that he had advised with divers good Men of that County who had recommended a List, & It was Resolved to Commissionate those following, vizt: Richard Hayes, Henry Pierce, Henry Hayes, Elisha Gatchel, John Crosby, Abraham Emmitt, Junr., Mercer Brown, James James, John Perry, James Gibbons, Joseph Pennock, Samuel Hollingsworth, Joseph Brinton, Nicholas Pyle and the Chief Burgess of the Burrough of Bristol, for the time being, of which the five last were now added.

MEM.

The Governor having understood that the Right to the Land pitched upon for the Townstead of Lancaster remains yet in the Proprietaries, was advised to approve of the Place agreed on by Messrs. Wright, Pierce & Mitchel, & the same was confirmed accordingly, by a Writing dated May 1st, 1730.

At a Council held at Philadia., April 9th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governr.

James Logan, William Fishbourn, Thomas Laurence, Ralph Asheton, Samuel Hasel. } Esq'rs.

The Minutes of the Eight preceeding Councils were read & approved.

The Governor then recommended to the Board, to consider of

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some proper Person to supply the Office of Second Justice of the Supreme Court now vacant, by the Death of Mr. Hill, and after some time spent thereon, It was agreed to defer the further Consideration thereof till a fuller Board.

At a Council held at Philadelphia, Augt. 6th, 1729-30.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Samuel Preston, Isaac Norris, Thomas Laurence. } Esq'rs.

PURSUANT to a Reference from the House of Representatives, bearing date the 29th of April, 1727, the Account of Silas Pryor & Ezekial Harlan, for Charges by them disbursed in attending the Indians of Brandywine Creek, was this day read, & the same appearing not only to be extravagant, but likewise that those Persons had officiously taken upon them to wait on the said Indians, & lay out money without any Authority or Warrant. The Board were of Opinion it would not be unreasonable wholly to reject their Demand. Yet in Consideration that they had really expended some Money, & perhaps were not then sensible of the wrong steps they were taking, The Board after a proper Examination of the said Account, are of Opinion that the Sum of Fifteen pounds being fully sufficient to defray the Expence of that Service had they been regularly called to it, may be allowed them in full for the whole.

The Examinations of Samuel Hornyhook & John Wilson, taken before one of the Justices of the Peace for the County of Lancaster, touching the Loss sustained by them by Depredations of the Mingoe Indians, & the Reference of the House thereon being likewise read, The Board in Compassion to the low Circumstances of the said Sufferers, are of Opinion that they be allowed the Amount of their Loss, as sett forth upon Oath in their rexive Examinations, vizt: to the said Hornykook Five Pounds, & to the said Wilson Three pounds ten shillings.

An Account was then exhibited by James Mitchel, of the County of Lancaster, for Charges by him expended on a Message to & from the Indians, in the Year 1722, and for his Trouble in explaining to them the Treaty of Albany, by Order of the Government, (he being then the only acting Magistrate in those parts of the Countrey,) And it appearing that the said Services were performed, & that no Allowance had been hitherto made to the said James Mitchel for the same, It is the Opinion of the Board that the Sum of Six pounds ten shillings & six pence be paid to him, in full for his Trouble & Expence aforesaid.

And 'tis recommended to the Assembly to order the Payt. of the respective Sums above mentioned.

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At a Council held at Philadelphia, Augt. 13th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Ralph Asheton,	} Esq'rs.
Clemt. Plumsted,	Samuel Hasel.	
Thomas Laurence,		

Was read a Bill sent up from the House, Entituled

AN ACT to prevent the Erecting Wears, Dams, &c. in that part of the River Skuylkill from the falls of Spring Mill to the Extent of the navigable part of Tulpahockin Creek. It was Observed that the Intention of the Bill would be much better answered by preventing all Wears & Dams throughout the whole River, & therefore it was proposed that the Bill should be amended accordingly, and the Title thereof be thus: An Act to prevent the Erecting of Wears, Dams, &c. within the River Skuylkill, which being agreed to, Amendments were drawn up & ordered to be sent down with the Bill.

At a Council held at Philadelphia, Augt. 15th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Asheton,	} Esq'rs.
Clement Plumsted,	Samuel Hasel.	

A Bill sent up from the House of Representatives, Entituled AN ACT to remove the Trustees of the General Loan Office of Pensylvania, & appointing others to execute the said Trust, was read & agreed to without Amendment.

It appeared that the House had conceded to all the Amendments proposed to the Bill in the preceding Minute mentioned.

EODEM DIE, P. M.

The Governor, attended by Thomas Laurence & Samuel Hasel, Esquires, received the House of Representatives, & their Speaker having Presented to His Honour the two following Bills, they were passed into Laws of this Province, & Warrants were issued for affixing the Great Seal thereto, vizt:

AN ACT to remove the Trustees of the General Loan Office of Pensylvania, & appointing others to Execute the said Trust.

AN ACT to prevent the Erecting of Wears, Dams, &c., within the River Skuylkill.

Then the House withdrew.

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At a Council held at Philadia, Augt. 27th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

James Logan,	Thomas Laurence,	} Esq'rs.
Isaac Norris,	Samuel Hasel.	

THE GOVERNOR acquainted the Board that he intended to sett out the beginning of next Week for New York, to pay a Visit to the Governor of that place which he had long since promised; And as the Powers of Government would in his Absence devolve on the Board, he was now to recommend to them the Care of the Province & the Preservation of the Publick peace, & to request that in case any thing extraordinary should happen during his Stay, an Express may be dispatched to him to hasten his Return.

Upon which the Members present were of Opinion, that on this occasion it would be very proper to have a fuller Board, & for that End, that Notice in Writing should be sent to all the Members of Council who can conveniently be had, to attend to morrow afternoon, & that then the Governor might acquaint them with his intended Journey; which being agreed to, 'TIS ORDERED that the Clerk prepare the said Notices, & putt them in the hands of the Messenger to be delivered to the respective Members.

It being represented that Captain Anthony Palmer had for many years acted as a Member of this Board, but for some time past had declined the Service, 'TIS ORDERED that particular Notice in Writing be sent to him, to attend the Council at three a clock to morrow afternoon, at the house of James Logan, Esqr., or to give his Reasons why he will not, that the Board may come to some Resolution thereupon. It was likewise moved & agreed to, that the Precedency of the Councellors should be settled, & for that End Mr. Logan was requested to search into the Minutes of Council, & to report the same to the Board at their next meeting.

At a Council held at Philadia., Augt. 28th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

James Logan,	Clement Plumsted,	} Esq'rs.
Isaac Norris,	Thomas Laurence,	
Saml. Preston,	Ralph Asheton,	
Antho. Palmer,	Samuel Hasell.	
Willm. Fishbourn,		

The Minute of yesterday's Council being read & approved, Mr. Logan in pursuance thereof, produced several Minutes of Council, to show the Rank which had been usually observed amongst the Members of this Board; Upon perusal of which, & after due Consideration, 'TIS ORDERED that from henceforth the present

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Members of Council be thus ranked, vizt: James Logan, Isaac Norris, Samuel Preston, Anthony Palmer, Henry Brooke, William Fishbourn, Clement Plumsted, Thomas Laurence, Ralph Asheton & Samuel Hasell.

The Governor then Mentioned his intended Journey to New York, & recommended the Care of the Province in his Absence to the Board, who having wished His Honour a good Journey, & Safe Return to his Government, the Council broke up.

At the Courtho. of Philadia., Augt. 29th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

with the Mayor of Philadelphia, & several of the City Magistrates.

A List was presented of the Names of Seventy Seven Palatines, who with their Families, making in all about Two hundred & Sixty Persons, were imported here in the Ship Thistle of Glasgow, Colin Dunlap Mr., from Rotterdam, but last from Dover, as by Clearance from that Port. The Master being examined, said he had no particular License for their Transportation: they were then called in, & having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names follow, did repeat and sign the Declaration inserted in the Minute of the 21st of Sepr., 1727, & likewise took & subscribed the Declaration of Fidelity and Abjuration.

Johs. George Lodwick Has,
Bernard Sigmund,
Hans Jacob Doll,
Johannes Dunkell,
Christopher Better,
Johan Peter Osler,
Leonard Graw,
Jeremias Hess,
Velde Grisimer,
Casper Frisman,
Christian Leman,
Stephen Remer,
Rudolph Draugh
Johannes Kunn,
Lodwick Dillman,
Johan Hendrick Smitt,
Gerard Zinn,
Christopher Angubrant,
Jean Henrix Fortineux,
Michael Thomas,
Hans Minigh,
Mathias Thais,
Peter Biswanger,
Fredrick Reimer,
Nichel Fizer,
Jacob Nagell,
Johan Casper Smiet,
Johan Siningern,
Ulrick Sherar,
Philip Groscost,
Casper Bittner,
Johan Paulus Dillenhover,
Johannes Sherer,
Johan Justice Sherer,
Hans Georg Hoffman,
Nichol. Kinser,
Johannes Hoffman,
Philip Hauts,
Laurence Koff,
Abraham Transu,
Casper Hartman,
Thomas Hammon,

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Christian Shram,
Jacob Stiffell,
Rudolph Andreas,
Fredrick Peifer,
Leond. Kopplinger,
Johs. Kopplinger,
Wolfer Sperger,
Voldrick Meidleman,
Elias Meidleman,
Jacob Ammon,
Ulrick Steyner,
Dolls. Britelman,
Thomas Hass,
Hendrick Hass,
Johan Ekel Lukembourg,
Henrick Ekenbill,
Hans Simon Murs,
Hendrick Gutt,
Peter Travinger,
Casper Griger,
Bernard Renn,
Dietrick Kober,
Lutwig Moler,
George Hurtzell,
Lutwig Hurtzell,
Leond. Hoognunk,
Peter Federolph,
Peter Muller,
Fredrick Likenberger
Valentine Michael,
Christopr. Hendrick,
George Undetenard,
Michael Thomas,
Christian Thomas.

IN THE ABSENCE of the Honble the Lt. Governr.
At the Courtho. of Philadia., Sepr. 5th, 1730.

PRESENT:

The Mayor & Recorder of the City, together with several Justices of the Peace.

A List was Presented of the Names of Forty six Palatines, who with their Families, making in all about One hundred and Thirty Persons, were imported here in the Ship Alexr. & Ann, William Clymer, Master, from Rotterdam, but last from Deal.

The Master being examined said he had no particular License for their Transportation: they were then called in, & having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names are subjoined did repeat & sign the Declaration inserted in the Minute of the 21st of September, 1727, and likewise took & subscribed the Declaration of Fidelity and Abjuration.

Anthony Muller,
Daniel Cristman,
Adam Fillipott,
Hans Lensenns,
Johan Fredrick Lausseness,
Johannes Herler,
Johan Adam Atler,
Martin Muller,
Johan Peter Waller,
Frans. Plumm,
Jacob Muller,
Martin Creiner,
Waldes Langhaer,
Martin Yonger,
Michael Blesser,
Peter Tilman,
Adam Shuler,
Johannes Vitner,
David Suffoltz,
Michl. Firkman,
Rudolph Mastersundts,
Conrad Yongman,

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Fredrick Meyer,	Leopold Hilligas,
Carles Callar,	Henrick Cleiner,
Hans Ulrick Krinston,	Mathias Seltzer,
Bernhard Meyer,	Johannes Cleiner,
Jacob Meyer,	Hans Jerick Ham,
Hans Musulburger,	Johan Nicol. Brecher,
Martin Burger,	Johannes Woldman,
Hans Jacob Oberholts,	Christian Princeland,
Johan Fredrick Waller,	Johan Sebastian Braft,
Henrick Marta,	Hans Michl. Verdus,
Geo. Michl. Brinsius,	Hans Bartel Hemberger,
Johan Philip Curnert,	Johan Carl Hornberger.

At a Council held at Philadia., Octr. 3d, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Willm. Fishbourn,	Ralph Asheton,	} Esq'rs.
Thomas Laurence,	Saml. Hasell.	}

Returns from the several Counties of the Province, & from the County of Newcastle, of Persons elected for Sherifs & Coroners the ensuing year, were laid before the Board, & the following Persons were appointed to those Offices, vizt:

For Philadelphia City & County. Charles Read and Nicolas Scull being returned for Sherifs, & Owen Owen & John Roberts for Coroners, Charles Read is appointed Sherif & Owen Owen Coroner.

For Bucks County. Timothy Smith & Joseph Thornton being returned for Sherifs, & William Atkinson & Jonan. Woolston for Coroners, Timothy Smith is appointed Sherif & Jonathan Woolston Coroner.

For Chester County. John Owen & John Bennit being returned for Sherifs, & John Wharton & Abra. Darlington, for Coroners, John Owen is appointed Sherif & Jno. Wharton Coroner.

(Came in Clemt. Plumsted, Esqr.)

For Lancaster County. John Galbraith & Daniel Jones being returned for Sherifs, & Joshua Lowe & John Mitchell, for Coroners, John Galbraith is appointed Sherif & Joshua Lowe Coroner.

For Newcastle County. William Reid & John Gooding being returned for Sherifs, & John Dening & Abraham Gooding for Coroners, William Reid is appointed Sherif & Abraham Gooding Coroner.

And Commissions are Ordered to be issued accordingly, the Sherifs giving Security as the Law directs.

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October 6th, 1731.

Out of Council.

Returns from the Counties of Kent & Sussex being laid before His Honr., the following Persons were appointed to the Offices of Sherif & Coroner for the ensuing year, vizt:

For Kent County. Daniel Rodeney & John Hall being returned for Sherifs, & Samuel Berry & Thomas Tarrant for Coroners, John Hall is appointed Sherif & Samuel Berry Coroner.

For Sussex County. James Fenwick & Simon Kollock being returned for Sherifs, & Robert Smith & Cornelius Wiltbank for Coroners, Simon Kollock is appointed Sherif & Cornelius Wiltbank Coroner.

And Commissions are Ordered to be issued accordingly.

At a Council held at Philadia, Octr., 15th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

Isaac Norris,	Clement Plumsted	Esq'rs.
Saml. Preston,	Thomas Laurence,	
Anthony Palmer,	Ralph Asheton,	
William Fishbourn,	Samuel Hasell,	

The Representatives of the Freemen of this Province Elected the 1st instant, having mett yesterday in Assembly, pursuant to the Proprietor's Charter & the Law in that Case made & provided, and having proceeded to the Choice of a Speaker, did this day wait on the Governor to present him accordingly.

And Andrew Hamilton, Esqr., addressing himself to His Honour, said that the House had been pleased to make Choice of him to be their Speaker; that he was not unsensible but there were several Members of the House whose Abilities sufficiently qualified them for the Office to which he was now Chosen, and therefore, if His Honr. conceived that the Choice of some other Person might be more acceptable, he hoped his Honour would direct the House accordingly.

To which the Governor answered. that he could not doubt but the Choice the House had made, of a Gentleman so well qualified, would be as acceptable to the Country in general as it is to His Honr. in particular.

The Speaker having thanked the Governor for the good Opinion he was pleased to entertain of him, in the Name of the House requested,

That they may enjoy Freedom of Speech in all their Deliberations & Debates, & that his own unwilling Mistakes & Omissions may be excused.

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That if in delivering any thing to His Honr. in the Name of the House that shall be given him in Charge, he happen to be mistaken, such Mistake or Inadvertance may not be imputed to the House, but that he may resort again to the House for Declaration of their true Intent & meaning, & the Error may be pardoned.

That his Honr. would be pleased not to hearken to any thing that may be reported to him touching any matter moved or debated in the House, until the same shall have passed into a Resolve, nor give any Credit to such Report.

That upon all necessary & urgent Occasions the House may have free Access to His Honr's. Person.

All which Mr. Speaker said he now requested, as the just Rights & Privileges of the Representatives of the Freemen of Pensylvania. And His Honour having assured the House that they should be maintained in the full Use & Exercise of the same, they withdrew.

The Governor then acquainted the Board that notwithstanding all his Endeavours, he had not yet been able to fill up the Vacancys in the Supreme Commiss'n; that he found those gentlemen whom he thought best qualified for that Service very backward to enter in it; That repeated Applications had been made to him from the respective Counties of the Province, for the Tryal of several Criminals now in their Goals, and that some Expedient would be necessary to prevent any Delay of Public Justice. It was thereupon proposed & agreed to, that Special Commissions of Oyer & Terminer & genl. Goal Delivery, should be issued & sent into the respective Counties, directed to such proper Persons as His Honr. can prevail with to undertake that Service.

MEMORANDUM.—Novr. 5th, 1730.

A Report having been spread abroad, that Mr. Fishbourn's House had been broke open on Sunday, the twenty fifth day of October last, (while the Governr. was at Newcastle,) and a large Sum of Public money which Mr. Fishbourn was about to deliver to the new Trustees of the Loan Office taken away, His Honour upon his Return from Newcastle on the first Currt., imagined Mr. Fishbourn would apply to him & acquaint him with his Misfortune; but he neglecting to do it, the Governor thought fitt, by a Letter of the 3d currt. to lett him know, that as his Conduct while a Trustee of the Loan Office, and the mistakes discovered in his Accounts, had already subjected him to very great Censure, this Report of his being robbed the very night before he was to pay the money left in the Office, to the new Trustees, was commonly received rather as a Pretence than a Reality, & that therefore it would be incumbent on him to clear up this Affair of the Robbery

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effectually. To this Mr. Fishbourn returned a confused and evasive Answer, affirming however that he had lost the Money, but adding that he was willing to refer himself to the Judgement of the Assembly, to whom only he said he was accountable.

Upon the Enquiry which was made into this Affair before His Honour, several Members of Council, many Merchts. & other Gentlemen of Philadelphia, the strong Presumptions of Mr. Fishbourn's Roguery, in attempting to impose this Robbery on the Publick, appeared but too evidently, which were afterwards fully confirmed by his Behaviour before the Assembly, & his declining to mention this pretended Robbery as an Excuse for the large Deficiency discovered in his Accounts, which if the Loss had been real, he would scarce neglected to have urged in his own Vindication.

At the Courtho. of Philadia., Novr. 30th, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Henry Brooke, Samuel Hasell. } Esq'rs., Members of Council,

Thomas Griffits, Esqr., Mayor, Andrew Hamilton, Esqr., Recorder. } of Philadia.

A List was presented of the Names of Twenty four Palatines, who with their Families, making in all about Fifty two Persons, were imported here in the Ship Joyce, William Ford, Master, from Boston. They were called in, & having declared that their Intentions were to settle & live peaceably in this Province, the Persons whose Names are hereunto subjoyned did repeat & sign the Declaration inserted in the Minute of the 21st of September, 1727, & likewise took & subscribed the Declaration of Fidelity & Abjuration.

Christian Miller,
Michael Shafer,
Nicolas Swort,
Daniel Swort,
Hans Wichel,
Johan Lutwig Wiche
Joseph Domm,
John Bear,
Hans Jacob Bear
Leonart Koll,
Henry Shefer
Egram Hal
Johan Cuntz,
Mark Ninger,
Johan Hoff,
Andreas Soffman,
Hans Ulrick Meyer,
Leonard Fodry,
Johan Michael Fisher,
Henrick Kilian,
Johs. Overbaeck,
Zacharias Park,
Godfrey Schultze.

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At a Council held at Philadia., Decemr. 3d, 1730.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Govr.

Isaac Norris,	Clement Plumsted,	Esq'rs.
Samuel Preston,	Ralph Asheton,	
Antho. Palmer,	Samuel Hasell.	
Henry Brooke,		

The GOVERNOR informed the Board that by the Report made to him of the Proceedings of those Gentlemen who had delivered the Goals of the Counties of Philadelphia, Bucks & Chester, pursuant to the special Commissions for that purpose issued; it appeared that one Thomas Soames had received Sentence of Death for a Burglary, of which he was convicted by his own Confession, the Execution of which Sentence yet remaining to be done, he was now to take the Advice of the Board thereupon. And the same being had under Consideration, the Board are of Opinion that considering his Youth, & that John Head, his Master, had given a very favourable Character of his Behaviour, the Governor may if he pleases show Mercy by sparing his Life, but that Care should be taken to send him out of this Government.

At a Council held at Philadia. Janr. 6th, 1730-1.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

Anthony Palmer,	Thos. Laurence,	Esq'rs.
Henry Brooke,	Ralph Asheton,	

The GOVERNOR laid before the Board a Draught of a Speech he had prepared for the House of Representatives, now mett purst. to their Adjournment, & the same being read & approved the House was sent for, who attending accordingly, His Honour spoke to them as follows:

" Gentlemen:

" The Tranquility which this Province at present enjoys, & the " growing Unanimity amongst us, which has happily prevailed over " the past Feuds & Dissentions, are now so visible, that I cannot but " congratulate the Representative Body of this good People on a " prospect so delightfull in itself, so desireable by every good Man " who has a real & hearty Love for his Country, & which, as it " must give the highest Satisfaction to a Governor, cannot fail of " being equally agreeable to the Governed.

" Amongst the many valueable Privileges derived to this Colony " from Our late Honble Proprietor, that of annual Elections is none

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" of the least, whereby frequent Opportunities are given to the Le-
" gislature of inspecting & regulating our Publick Affairs, and as the
" Persons chosen to that important Trust are supposed to be Men of
" Virtue, Wisdom & Ability, so likewise from the Opportunities they
" have in their respective Counties, of Knowing the State & Condi-
" tion of their Countrey, they cannot but when convened together
" & seriously disposed to promote the Publick Interest, be very good
" Judges of those means by which our Happiness & Prosperity may
" be promoted; And from hence it is Gent., that I think it unneces-
" sary at this time to mention to you such things, which as they
" naturally fall under your Consideration in the Course of your
" Proceedings, will no doubt be as seriously attended to as if they
" had come particularly recommended from me.

" I must nevertheless Observe, that as it hath pleased God this last
" year, to bless not only these parts of America with a very plenti-
" full Harvest, but also, as we hear, most of the Countries in Eu-
" rope, which of Course has putt a stop to their Demand for our
" Produce, it therefore naturally follows that our own Provisions
" must be low. We ought however, as Plenty of the Fruits of the
" Earth has ever been held one of the greatest Blessings of Heaven,
" not only to acquiese but be humbly thankfull for our present Afflu-
" ence, yet as many may by this means be pinched by a Stagnation
" of the Currency, which even ensues in all Countries where their
" Produce is not in Demand, it may at this time be incumbent on us
" to think of all possible Measures to recommend our Manufactures to
" a greater Degree abroad, that when at Market they may find a
" readier Sale.

" I have understood that when this Colony was young & had but
" little Experience, it exceeded all its Neighbours in the Fineness of
" its Flour & Bread, & Goodness of its Beer, which are the only
" Produce of our Grain; the Regulations which have already been
" made in the two first have greatly contributed to their Improve-
" ment as well as the Reputation of the Province, & it will still be-
" come the Legislature to continue their Care & Concern in a Point
" of such Consequence to the whole Country. But the Abuses in
" the last are so gross that you cannot but be all sensible of the Re-
" proach Brought upon us, when you hear how we have of late been
" Supplied by a neighbouring Colony, & therefore I need say little
" to excite your most vigorous Resolutions to apply a proper Reme-
" dy, which in my opinion may very easily be found.

" And if, besides such Measures as may render the Produce of
" our Grain more valuable & consequently bring it more into De-
" mand, Encouragement were given to raise such Commodities that
" might have a constant & ready vent in Britain, & thereby help
" to make Returns, it would certainly be of vast advantage to the
" Publick.

" In my Speech to the first Assembly chosen after my Arrival, I

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" mentioned Iron, Hemp & Silk; in the first of these divers pro-
" ceeded with Vigour, till the vast Quantities unexpectedly imported
" into Britain from the new Works in Russia, where the poor People
" labour almost for nothing, have given some Damp to that Manufac-
" ture. But as Silk comes from Countries long settled & accustomed
" to the Business, where their Prices cannot much alter, and as no
" Climate in the World is found to agree better with the Silkworm
" than this, since it is impossible that as the Inhabitants encrease
" the raising of Grain should always turn to Account for Exporta-
" tion, nothing in my Judgement can be more worthy of our Appli-
" cation than to excite the People to the planting of Mulberry Trees,
" & furnishing themselves with Silk Worms, since it is a Work of
" which the poorest & feeblest are capable, & Children who can be
" of little other Service, may here find an Employment suitable to
" their Years. As the Business is new, People will naturally be
" backward in falling into the Practice, but if we consider that all
" Manufactures were so at first, that the West Indies were for some
" time settled before they thought of raising Sugar, from whence
" they now make vast Estates, we should not be discouraged, for all
" things of this kind require only Resolution in the beginning, at
" which most things appear difficult that afterwards become easie &
" familiar. I therefore recommend it to you Gentlemen, to think of
" some suitable Encouragement that may prompt the Inhabitants to
" proper Endeavours on their parts, & I shall use mine to procure
" Persons of Skill to lead them into a Way of finishing their Labours
" to Advantage: The raising of Hemp & dressing it by water-rating,
" the only Method we find for rendring it truly usefull, has already
" its Encouragemt, & 'tis hoped in time this also may be applied to
" make Returns.

" These are the Points I shall now recommend to you, in which
" as I have nothing in View but the true Interest & Honour of the
" Province & of every Subject under my Care, I cannot doubt your
" ready Concurrence. This Disposition will naturally lead you to
" Unanimity & Dispatch, the only means of giving Succes to all our
" Counsels, and of a happy & speedy Issue to the Session, which
" that we may attain, with sincere Expressions & real Proofs of Loy-
" alty to His Majesty, Fidelity to our Honble. Proprietors, & with
" the Increase of Love and Goodwill amongst all our Inhabitants, is
" the highest of my present Wishes."

A Copy of the foregoing Speech being given to the Speaker the House withdrew.

—

JANUARY 9th, 1730–1.

A Petition of Several Germans praying to be naturalized having been presented to the Governor, His Honr. after a proper Enquiry

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into their Characters, & by the Advice of some Gentlemen of his Council, sent the following Message in Writing to the House:

"Gentlemen:

"A Petition having been presented to me in behalf of several Germans now inhabiting this Province, a List of whose Names is hereunto annexed, praying that they may enjoy the Rights & Privileges of English Subjects, I have made Enquiry into their Characters, & find they have behaved themselves so well during their Residence amongst us, that I have no Objection to their receiving this Mark of Favour from the Legislature of Pensylvania. It likewise appears by proper Certificates produced to me, that they have taken & subscribed the Qualifications by Law directed, & therefore I hope your House will concur with me in passing a Bill for their Naturalization."

P. GORDON.

At a Council held at Philadia, Janr. 29th, 1730–1.

PRESENT:

The honble PATRICK GORDON, Esqr., Lt. Govr.

James Logan,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Thomas Laurence,	
Anthony Palmer,	Ralph Asheton,	
Henry Brooke,	Samuel Hasell.	

The four following Bills sent up from the House of Representatives were this day read, vizt:

1. AN ACT for Re-emitting & continuing the Currency of such Bills of Credit of this Province as by former Acts are directed to be sunk & destroyed. Touching which Bill the Governor expressed himself to this Purpose.

That he could not but with great Uneasiness reflect on the Obstinate Conduct of some Members of the House, who on passing the last Act for emitting Thirty thousand pounds in Paper Curr'y. rejected a Proposal then made to that House, wch if accepted, would have rendred the present Bill unnecessary, & thereby saved a considerable Publick Expence; That however agreeable it might be to the Inclinations of the People in General, to have the Re-Emission intended by this Bill, yet there was no small Danger to be apprehended even to the whole of our Currency, by multiplying Acts of this Nature, against which so great Prejudices are entertained at home. And therefore, tho' the Board should advise him to pass the Bill, yet that he could not be so far wanting in his Duty to the Publick as not to acquaint the House with the Hazard to which the same might be exposed, and the Vast Inconveniencies which would ensue upon a Repeal. And this His Honr. said he proposed to do by a written

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Message, & would likewise lay hold of this Opportunity to mention the Necessity of appointing an Agent for our public affairs in Britain.

The Board maturely weighing what the Governor had said & applauding the Concern he showed for the Publick Interest, unanimously approved of the proposed Message, but were alike unanimous in their Opinion that the Re-Emission would be extremely beneficial to the Province, & might during its Term prevent the Necessity of any further Provision for a Currency.

Upon which the Bill was again read & Considered, & several Amendments being made thereto, were drawn up & Ordered to be sent down with the same.

2. AN ACT for enabling Religious Societies of Protestants within this Province to purchase Lands for burying-grounds, Churches, Houses for Worship, Schools, &c., Touching which Bill a Petition of the Church Wardens of Christ Church in Philadelphia in behalf of themselves & the rest of the Congregation, being putt into the Clerk's hands, was by him presented to the Board & read, setting forth that the said Bill as the Petitioners conceive, tends to injure the Rights which certain Members of the said Church had in & to a Lott & Building formerly called the Keithian Meeting house, praying that a Clause may be inserted, Saving to the Members of the said Church their just Right to the said Lott & Building.

Upon considering the Bill it appeared that a sufficient saving Clause was therein contained, the Intention of the said Bill appearing to be just and equitable, the same was unanimously agreed to, & Ordered to be sent down with a small Amendment.

3. AN ACT for the better enabling divers Inhabitants of the Province of Pensylvania to hold Lands, and to invest them with the Privileges of natural born Subjects of the said Province.

&

4. AN ACT for the Relief of Benjamin Mayne, with Respect to the Imprisonment of his Person.

A small Amendment to each of these was likewise made, & Ordered to be delivered to the House with the Bills.

A Petition of the Magistrates, Grand Jury, & other Inhabitants of the County of Lancaster, was presented to the Board & read, setting forth that not having the Conveniency of any navigable water, for bringing the Produce of their Labours to Philadelphia, they are obliged at a great Expence to transport them by Land Carriage, which Burthen becomes heavier thro' the Want of suitable Roads for Carriages to pass. That there are no public Roads leading to Philadelphia yet laid out thro' their County, and those in Chester County, thro' which they now pass, are in many places incommodious. And therefore praying that proper Persons may be appointed to view & lay out a Road for the Publick Service, from the Town of

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Lancaster till it falls in with the high Road in the County of Chester, leading to the Ferry of Schuylkill at high street, & that a Review may be had of the said Publick Road in the County of Chester; The Prayer of which Petition being granted,

IT IS ORDERED that Thomas Edwards, Edward Smout, Robert Barber, Hans Graaf, Caleb Peirce, Samuel Jones & Andrew Cornish of the County of Lancaster, or any five of them, view & lay out by Course & Distance, a convenient high Road from the said Town of Lancaster to the Division Line between the Counties of Chester & Lancaster; And that Thomas Green, George Aston, William Paschal, Richard Buffington, William March, Samuel Miller & Robert Parke of the County of Chester, or any five of them, do then joyn the above named Persons of Lancaster County, or any five of them, in continuing to lay out as aforesaid, the said Road from the Division Line aforesaid, till it falls in with the King's high Road in the County of Chester, leading to Philadia., & make Return thereof to this Board. And they, the above named Persons of the County of Lancaster, or any five of them, together with the above named Persons of the County of Chester, or any five of them, are further Impowered jointly to review the said high Road within the last mentioned County, & to report to this Board what Alterations may be necessary to be made therein, to suit the Conveniency of Carriages, and for the better Accommodation of the Inhabitants of this Province.

—

February 2d, 1730–1.[1]

A Bill Entituled AN ACT to disable William Fishbourn from holding any Office of Trust or Profit within this Province, & to secure the Payment of a Provincial Debt due from the said William Fishbourn having been sent up from the House, the Clerk of the Council was Directed to give Mr. Fishbourn Notice in writing, (which he did accordingly on the 1st currt.,) that the same would be this day considered in Council, where he would be heard in his own Defence if he thought fitt to attend.

The Governor likewise sent a verbal Message to the House to this Effect:

That His Honour having the Bill for disabling Mr. Fishbourn, now under Consideration, and the same being of an extraordinary Nature & Tendency, tho' he is well perswaded the House would not have passed it without being fully convinced that the Facts therein alledged are true, He desires the Gentlemen of the Committee appointed to manage the Charge against Mr. Fishbourn, may be ordered to attend His Honr. at the Council Board with the said Charge, Mr. Fishbourn's Answer thereunto, & the Evidences & Vouchers that support the same.

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EODEM DIE,

A Council was held at Philadia.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

Samuel Preston,	Clement Plumsted,	Esq'rs.
Anthony Palmer,	Ralph Asheton,	
Henry Brooke,	Samuel Hasell.	

The Bill Entituled

AN ACT to disable William Fishbourn from holding any Office of Trust or Profit within this Province, & to secure the Payment of a Provincial Debt due from the said William Fishbourn, was read, And the Governor acquainted the Board that at his Desire the Managers for the House were attending to support the Charge against Mr. Fishbourn, to whom likewise Notice had been given to appear before this Board in his own Defence if he thought proper. The said Managers were called in, & Mr. Fishbourn appeared pursuant to the Notice given him.

The Managers proceeded to open the Charge against Mr. Fishbourn, and to support the same with several Papers & Accounts; after which Mr. Fishbourn was fully heard, & then they were directed to withdraw.

The said Bill being again read, & the Board having Maturely considered the Charge with Mr. Fishbourn's Defence thereunto, The Question was putt and RESOLVED in the Affirmative,

That William Fishbourn hath been guilty of fraudulent & most unjustifiable Practices, in the Execution of his Office as a late Trustee of the Genl. Loan Office of Pensylvania.

And the Bill being agreed to, was ordered to be returned to the House without Amendment.

Then was read a Bill Entituled,

AN ACT for the better Prevention of Accidents that may happen by Fire in the City of Philadia., by Bake houses & Cooper's Shops.

To which some Amendments were made & ordered to be sent down with the Bill.

—

FEBRUARY 3d, 1830-1.

The Bill for Re-Emitting & continuing the Currency of such Bills of Credit of this Province as by former Acts are directed to be sunk & destroyed, was this day returned to the House with the Amendments proposed in Council, & the following Message from the Governor:

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" Gentlemen :

" I have perused & considered the Bill for re-emitting & continu-
" ing the Currency of such Bills of Credit of this Province as by
" former Acts are directed to be sunk & destroyed, and for striking
" Forty thousand pounds more in new Bills to exchange the old;
" And I cannot hereupon but with great Uneasiness reflect upon the
" most unjustifiable Conduct of those who, when the last Emission
" was under the Consideration of the House that made the Act for
" it, so obstinately opposed that well judged Proposal, to issue one
" entire new sett of Bills sufficient for our Currency, to be continued
" for a Term by Re-Emission; for such a Provision would have ab-
" solutely prevented the Occasion the House now finds for this new
" Bill, & thereby have saved much Time to the Legislature, with a
" great Expense of money to the Publick, besides the vast Incon-
" veniences & Hazards to which we expose ourselves and our whole
" Currency, by multiplying Acts of this kind where there might have
" been no manner of Occasion.

" For surely Gentlemen, the weakest amongst us cannot but be
" sensible that while every Act of ours is subject to a Repeal, when-
" ever by Advice of His Ministry, His Majesty shall think fitt to
" order it, While the Caution given us by the Board of Trade of the
" 11th of May, 1726, formerly communicated to the Assembly, is
" so express agst. enlarging our Currency, while not only a Prejudice
" universally obtains amongst the Merchants in Britain against it,
" but we find His Majesty from time to time requiring His Governors
" to pass no Act for Establishing it that shall be in Force till it obtains
" the Royal Sanction, of which the late Proceedings in New Jersey
" are one Instance, & our News Papers have furnished us with others.
" When all this is considered I say, none can be so blind as not to
" see the great Risque we run by multiplying such Acts without Ne-
" cessity, since we thereby endanger our whole Currency.

" However, as this Bill seems calculated only to answer the In-
" tention of the former much better timed Proposal, & as it may
" fully answer all the Exigencies of the Country, & prevent during
" its Term, the Necessity of any further Provision for a Currency,
" I shall venture to pass it with small Amendments.

" But as by its being a new Bill it may still subject us to yet
" greater Difficulties in Britain, I must now take this Opportunity
" to insist on your making a due Provision for furnishing ourselves
" with an able Agent in London, who may cordially & sincerely
" negotiate such Bills, together with our other Business at the sev-
" eral Boards, since you cannot but be sensible that the Persons to
" whom they have of late been sent, however worthy in other Res-
" pects is in this Case absolutely improper, as being wholly disaffect-
" ed to the Currency in general, nor if otherwise inclined would his
" great Affairs allow of his Attendance. Not only the Advantages
" but the Necessity of such an Agent are manifest; for a suitable
" Encouragement to such a Person would induce him to devote a

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" part of his time to the Study of our Constitution, the Circumstan-
" ces of the Province & its Trade, and as a Man of Penetration
" would soon make himself Master of these Points, he would not
" fail on all Occasions of doing us eminent Service. By one thus
" qualified better than by many written Representations, might those
" Impressions which have been received to the Disadvantage of our
" Currency be removed, the particular Laws framed for our Con-
" veniency would be easily and naturally explained to those who are
" to judge of them, & nothing would then be transacted at any of
" the Publick Offices relating to us, of which we might expect early
" Notice; And a moderate yearly Sum laid out in this way might on
" some Occasions save a very considerable Publick Expence. I am
" led to press this the more closely, from some late Endeavours that
" have been used to obtain a Repeal of the Law for establishing
" Courts of Judicature, passed since my Accession to this Govern-
" ment, which had it been obtained would have occasioned great
" Confusion in the Publick Administration. And as the matter is
" still depending before the Lords of Trade, it will become us to
" take all suitable Measures to prevent a Design of this Nature;
" And seeing all our neighbouring Governments carefully provide
" proper Agents to appear for them & manage their Affairs, & our
" own Assemblies as I am informed, have formerly voted the same,
" I hope therefore a House of Representatives that I am perswaded
" has the true Interest of the Province as fully at heart as any that
" has hitherto been convened, will no longer delay so important a
" Provision.

" Upon considering the Bill in Council one observation has been
" made which will deserve your Notice, & this is that the striking so
" large a Sum as Forty thousand Pounds to exchange torn or ragged
" Bills may be attended with several Inconvenencies, unless it is pro-
" posed to exchange all the Bills now current by the two first Acts. If
" that is intended, the Bill as it now stands does not seem to express
" it clearly, nor to direct that those Bills of Credit shall not be again
" issued, which it is conceived ought to be done in full and distinct
" Terms.'

P. GORDON.

FEBRUARY 4th, 1730-1.

The House this day by a Message, acquainted His Honr. that they had agreed to the Amendments proposed to the Re-Emitting Bill, And that in Pursuance of His Honour's Message of yesterday, they had appointed Ferdinand John Paris, Esquire, Agent for this Province, & had voted him a yearly Salary of Fifty Pounds sterling for that Service.

The Governor desired the Members who brought up this Message,

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to lett the House know that he very much approved of the Choice they had made.

—

FEBRUARY 6th.

The Governor sent down the following Message to the House:

" Gentlemen;

" The Death of that worthy Gentleman Mr. Hill, & the Indispo-
" sition of Mr. Lloyd, which renders him unfitt to attend the Publick
" Service, has occasioned two Vacancies in the Commission of the
" Supreme Court by our Constitution established, And tho' I have
" used all proper Endeavours to gett them supplied, yet I find so
" great Difficulty in prevailing with Men of Knowledge & Abilities
" to undertake those Offices, that I am obliged to acquaint you
" therewith, lest this Failure should be laid at my Door.

" Upon the late repeated Applications from the Several Counties
" of this Province for the Trial of Criminals then in Goal, I was
" obliged to direct special Commissions of Oyer and Terminer &
" Goal Delivery to three Gentlemen, who at my Earnest Request
" were perswaded to perform that Service, which ought to be ac-
" knowledged by the Publick; And as Prosecutions of that Nature
" are greatly multiplied amongst us, & several Complaints are daily
" made, by Persons who either stand in need of Remedial Writts
" properly issued out of that Court, or whose Suits are removed thith-
" er & there remain undecided to their great Loss, It appears high-
" ly necessary that an Appointment should speedily be made of
" proper Persons for Judges of that Court, that the End of its Es-
" tablishment may be answered. But in Order to do this, as much
" as may be to the general Satisfaction of all the Country, I must
" desire you to consider of & resolve upon such allowances to the
" Persons so appointed, as may be some Inducement to Men of Ca-
" pacity to accept of those Offices, otherwise it will not be in my
" Power to remedy the Inconveniences which the Publick now
" sustains thro' the Want of them; And this I recommend to your
" serious Consideration."

P. GORDON.

In answer to which Message the Governor received the same day a Resolve of the House in these Terms, vizt:

" That the Governor may with safety depend on the Honour of the
" House, that when he shall supply the Vacancies in the Supreme
" Commission, the House will allow any adequate Salary to the
" Gentlemen who shall be appointed to that Trust."

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EODEM DIE.

At a Council held at Philadia.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

James Logan, Thomas Laurence,
Henry Brooke, Ralph Asheton. } Esq'rs.
Clemt. Plumsted,

THE GOVERNOR acquainted the Board that the House had agreed to all the Amendments proposed to the several Bills which had been considered in Council at their two last meetings.

Then were read two Bills sent up from the House, vizt:

AN ACT for Amendment of the Law Entituled An Act for Relief of Insolvent Debtors: &

A SUPPLEMENT to the Law Entituled An Act to prevent the killing of Deer out of Season, and against carrying of Guns & hunting by Persons not qualified.

Both which being agreed to, were Ordered to be returned without Amendment.

EODEM DIE, P. M.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Henry Brooke, Anthony Palmer, } Esq'rs.
Clement Plumsted, Ralph Asheton.

The House of Representatives waited of the Governor, and the Speaker having delivered to His Honour the Order of the House for his Support the current year, presented the following Bills for his Assent, which were accordingly passed into Laws of this Province, & Warrants Issued for affixing the Great Seal thereto, vizt:

1. AN ACT for Re-Emitting & continuing the Currency of such Bills of Credit of this Province as by former Acts are directed to be sunk & destroyed.

2. AN ACT for Enabling Religious Societies of Protestants within this Province to purchase Lands for Burying grounds, Churches, Houses for Worship, Schools, &c.

3. AN ACT for the better enabling divers Inhabitants of the Province of Pensylvania to hold Lands, & to invest them with the Privileges of natural born subjects of the said Province.

4. AN ACT for the Relief of Benjamin Mayne, with Respect to the Imprisonment of his Person.

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5. AN ACT to disable William Fishbourn from holding any Office of Trust or Profit within this Province, & to secure the Payment of a Provincial Debt due from the said William Fishbourn.

6. AN ACT for the better Prevention of Accidents that may happen by Fire in the City of Philadelphia, by Bakehouses & Cooper's Shops.

7 AN ACT for the Amendment of the Law Entituled An Act for Relief of Insolvent Debtors.

&

8. A SUPPLEMENT to the Law Entituled An Act to prevent the Killing of Deer out of Season, & against carrying of Guns & hunting by Persons not qualified.

THE GOVERNOR having thanked the House for the obliging manner in which they had provided for his support they withdrew, & the Council adjourned.

N. B. The House adjourned to the 2d of August next.

At a Council held at Philadia, April 8th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

Samuel Preston,	Thomas Laurence,	Esq'rs.
Anthony Palmer,	Ralph Asheton,	
Henry Brooke,	Samuel Hasell.	

THE GOVERNOR acquainted the Board that the time of the sitting of the Supreme Court now drawing nigh, it would be proper to fill up the two Vacancies in that Commission, occasioned by the Death of the Chief Justice & of Mr. Hill. And His Honour having named Isaac Norris, Esquire, to be Chief Justice, Jeremiah Langhorn, Esquire, to be second Justice, & Doctor Thomas Græme to be third Justice of the said Court, The Board unanimously expressed their Satisfaction with the said Nomination, and 'TIS ORDERED that Commissions be issued to them accordingly.

At a Council held at Philadia., Augt. 4th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

James Logan,	Clemt. Plumsted,	Esq'rs.
Isaac Norris,	Ralph Asheton,	
Samuel Preston,	Samuel Hasell.	

The House of Representatives having mett on the 2d inst. pursuant to their Adjournment, The Governor laid before the Board a written

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Message drawn up for the House, touching the Application of the Sugar Islands to His Majesty in Council & the British Parliament, for restraining the Trade of the Northern Colonies in America; And the same being read, together with a Letter from Mr. Paris, the Agent for the Province, It is the Opinion of the Board that the subject matter of the said Message is of such Importance as well deserves the serious Application of the whole Legislature, & the said Message being approved was ordered to be sent down to the House, & is in these Words:

" GENTLEMEN:

" The Publick Papers of the last Spring have apprized the whole " Countrey of the Application first made to His Majesty in Council, " and then to the Parliament of Great Britain by the Sugar Islands, " especially Barbados, for restraining the Trade of His Majesty's " Northern Colonies in America.

" The first Notice of this Affair from England did not reach " my hands till April last, and as the hearing of their Petition before " the Council was to be the latter End of that Month, I thought it " would be to no Purpose to call you together at a time wch might " have been inconvenient to your private Affairs, especially consid- " ering that our Remonstrances must have come very late, if any thing " had then been determined on the said Petition. By the last Advices I " understand that a Bill has passed the House of Commons, but from " the strong Opposition it mett with was not gott thro' the House " of Lords, where it now lies, & will undoubtedly be vigorously " pressed on next Session of Parliament.

" I need not I hope observe to you of how great Importance this " Affair is to the whole Continent of America, & tho' it may be " thought that the Trade of this Place with any of the Forreign Sugar " Islands is but inconsiderable with respect to that carried on by our " Neighbours, yet when the immediate Consequences of such a Res- " traint are maturely considered, it will be found that the General " Trade of this Colony will be most deeply affected by it, & the In- " conveniences such as must be sensibly felt by all its Inhabitants, " and especially the industrious Farmer, for it is evident that if our " Neighbours are denied the Vent they have had for their Bread & " Flour in the Forreign Colonies, & be confined solely to our own, " the Price of our Staple Commodities will by means thereof be " brought exceedingly low.

" Our Honourable Proprietors have on this Occasion shewn their " Affection & Concern for our Interest by a warm opposition to the " Bill, and that Gentleman who at your last meeting was appointed " your Agent, has so far interested himself therein in behalf of this " Colony, & exerted himself with such Care and Assiduity for its " Interest, (Even before that Appointment could be made known to " him,) that I am extremly well pleased your Choice fell on so able " an hand, and I perswade myself his Services will meet with a

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" proper Encouragement. I send herewith a Copy of part of a " Letter I received from him on the subject, which so fully gives the " then state of that Affair that you will want no other Information, " and with it I send some Prints that may be of use to you in this " momentous Affair, wch I hope you will enter upon with a becoming " Concern, & prepare such Representations in Behalf of this Coun- " try to be laid before His Majesty & the British Parliament, & give " such necessary Directions therein to your Agents as a Matter that " so nearly Affects us all immediately calls for.

" I have also another Affair of very great Importance to the Se- " curity of this Colony & all its Inhabitants to lay before you, which " shall speedily be communicated to you."

The Governor then proceeded to inform the Board that the Matter mentioned in the Close of the preceeding Message related to Indian Affairs. & would be found to be likewise of very great Consequence to the whole Province; the Detail whereof His Honr. said he would leave to Mr. Logan, to whom the Information had been first given, & who from his long Experience & Knowledge in those affairs, could give the best Account of it.

That Gentleman then producing the Map of Lowisiana, as inserted in a Book called a New General Atlas, published at London, in the Year 1721, first observed from thence how exorbitant the French Claims were on the Continent of America; that by the Description in the said Map they claimed a great part of Carolina and Virginia, & had laid down Sasquehannah as a Boundary of Pensylvania. Then he proceeded to observe that by Virtue of some Treaty, as they alledge, the French pretend a Right to all Lands lying on Rivers of the Mouths of which they are possessed; That the River Ohio (a branch of Mississippi) comes close to those Mountains which lye about 120 or 130 Miles back of Sasquehannah, within the Boundaries of this Province, as granted by the King's Letters Patent; That adjoyning thereto there is a fine Tract of Land called Allegheney, on which several Shawanese Indians had seated themselves, And that by the Advices lately brought to him by several Traders in those parts, it appears that the French have been using Endeavours to gain over those Indians to their Interest, & for this End a French Gentleman had come amongst them some years since, sent as 'twas believed, from the Governor of Montreal, and at his Departure last year carried with him some of the Shawanese Chiefs to that Governor, with whom they at their Return appeared to be highly pleased: That the same french Gentleman, with five or six others in Company with him, had this last Spring again come amongst the said Indians and brought with him a Shawanese Interpreter, was well received by them, had again carried some of their Chiefs to the said Govr., & the better to gain the Affections of the said Indians, brought with him a Gunsmith to work for them gratis. Mr. Logan then went on to represent how destructive this Attempt of the French, if attended with Success, may prove to the English Interest on this

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Continent, and how deeply in its Consequences it may affect this Province, & after having spoke fully on these two Heads, Moved that to prevent or putt a Stop to these Designs if possible, a Treaty should be sett on foot with the five Nations, who have an absolute Authority as well over the Shawanese as all our Indians, that by their means the Shawanese may not only be kept firm to the English Interest, but likewise be induced to remove from Allegheney nearer to the English Settlements, and that such a Treaty becomes now the more necessary, because 'tis several years since any of those Nations have visited us, and no opportunity ought to be lost of cultivating & improving the Friendship which has always subsisted between this Government & them.

After which he observed to the Board that such frequent Complaints of late had been made of the Abuses committed by carrying large Quantities of Rum amongst the Indians, that it would be necessary for the Legislature to take the same into their Consideran., & to provide a Remedy to so great an Evil; That to this pernicious Liquor a late unhappy Accident in the Chief Family of our Delaware Indians had been in a great measure owing, viz't: the Death of Shackatawlin whom Sassoonan, his Uncle, had in a fitt of Drunkeness Killed.

The Board upon mature Consideration hereof, were unanimously of Opinion that a Treaty with the five Nations is absolutely necessary, and that it should be recommended to the House to make proper Provision for defraying the Charges thereof, and likewise to prevent the Abuses committed by carrying Rum amongst the Indians: But because it may be inconvenient in several Respects to have those Reasons for entring into a Treaty at this time with the five Nations, made publick, The Clerk of the Council is ordered to represent the same verbally to the House, & to deliver a shorter written Message on this subject, which was drawn up in these Words:

"Gentlemen:

"Upon some Notices I have lately received, the Import of which "will be now verbally communicated to the House, you will I be- "lieve, clearly see the Necessity of entring into some further Trea- "ties with the five Nations of Indians, whose Friendship is well "known to be of the highest Importance to the Peace & Security of "these Countries. And I must further add, that a most unfortunate "late Accident in the Chief Family of our late Delaware Indians, "by means of that pernicious Liquor, Rum, and the Abuses these "poor People suffer by its being carried to them in large Quantities "under the pretence of Trade, call also for a Redress, which at "this time becomes the more necessary, because by a due Provision "of this kind, our Treaties with them will be much facilitated & "strengthned."

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MEMORANDUM.

On the News of Shakatawlin's Death, & that Sassoonan's Grief for the unhappy Accident was so great that it was like to cost him his Life, The Governor sent a Message desiring Sassoonan to come to Philadelphia, who came accordingly, & the Governor being acquainted therewith,

A Council was held at Philadia., Augt. 12th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

James Logan, Samuel Preston,
Isaac Norris, Thomas Laurence. } Esq'rs.

PRESENT ALSO:

Sassoonan or Allummapees, King of the Delawares.

Shekallamy, sent by the five Nations to preside over ye Shawanese.

Peasquitoman, a Relation of Sassoonan's.

Edmund Cartlidge, & James Soull, } Interpreters.

THE GOVERNOR by the Interpreters, spoke to Sassoonan in these Words:

" Brother Sassoonan:

" When we first heard of the unhappy Death of our Friend Sam " Shakatawlin, we were exceedingly grieved for it. We heard also, at " the same time, that you were so much aflicted for his Loss that you " forbore taking necessary Food, & that after we had lost two very good " Friends, Opekasset & him, we were in danger of losing you also. " To prevent this you were sent for, that we might take care of you " and preserve your Life, that you might still remain longer amongst " us & continue to preserve Peace, which we understood was always " your Inclination. But you ought to goe in mourning for him, and " I have ordered a Coat for you for that Purpose.

" Brethren:

" This unhappy Accident I understand, was owing to that perni- " cious Liquor, Rum, which has too often occasioned Mischief be- " fore, & I have received divers Complaints of its being carried in " Quantities amongst you. We have made many good Laws to " prevent this, but you are so fond of it yourselves that you will find " means to procure it. I now desire to know fully your minds " who are here upon that head, & what measures you would have " taken to regulate this Affair; and if you will observe on your Parts " what shall be agreed on, I shall Endeavour the same shall be ob- " served on ours."

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Sassoonan, by the said Interpreters, answered the Governor in Words to this Effect:

That he understands very well what has been now spoke to him, and that he came hither on purpose to hear what the Governor had to say.

That when he Killed his Cousin he lamented and grieved sorely for it & refused any Nourishment, but that on the Receipt of the Letter that was wrote to him from hence, he has come hither & taken Food to keep himself alive, & it gives him great Comfort to hear now, from the Mouth of his Brother, the Words that have been spoke.

That he is very sorry for his two Cousins, (Opekasset & Shackatawlin) who are dead; notwithstanding which, he says that he will still hold fast by that wch is good & not depart from it; And that he is glad that Shekellamy, who is of the five Nations, is now present & hears what is said, for that they, the five Nations, all his People and the English are as one.

That it is very true the Indians have made frequent Complaints of Rum being brought amongst them in Large Quantities, & that they themselves have too great a liking for it; But that of late very large Quantities are carried every where amongst them; that many Horse-loads of it pass by his Door, & it all comes from Philadelphia, and that he cannot understand why such Quantities should be sent up.

Sassoonan being then asked whether it was not his Desire that an entire Stop should be putt to the sending up of Rum amongst the Indians, Answered; That there was lately a great Council of the five Nations & Mohocks, where he understands it was agreed that the white People should not be suffered to bring any Rum amongst them, & that if an Indian wanted any he should goe to the white People and bring it himself. That there is not so much Danger to be apprehended from the Quantities that the Indians themselves may bring in this manner, as from the great quantities that are brought amongst them by the white People, and his Desire is that no Rum should be suffered to be carried amongst them by the English, but that if any Indians want it, they should come to Philadelphia for it.

That he looks upon all the English & the Indians to be as one People, closely united & joyned together, & 'tis to be feared by means of Rum Quarrels may happen between them & Murther ensue, which may tend to dissolve that Union & loosen the Tye between both.

The Governor then told Sassoonan that he was well pleased with his Answer, & presenting two Strouds & a Blankett, gave them as a Confirmation of the Words he had spoke to them in behalf of the Publick, and acquainted them that to morrow they would be discoursed with about other Affairs.

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AUGUST 13th.

Sassoonan having this day mett the Governr. and Trustees, to discourse about the Indian Lands, after that Affair was over, He desired to add something to what he had said yesterday concerning Rum and the carrying of it into the Woods, vizt

That the Indians do not desire that Rum should be entirely stopt & that none at all should be brought to them; they would have some but not much, & desire none may be brought but by sober good men, who will take a Dram with them to refresh them & not so much as to hurt them. The Governor knows there are ill People amongst the Christians as well as amongst them; that what Mischief is done he believes is mostly owing to Rum, & it should be prevented.

He desires that no Christian should carry any Rum to Shamokin where he lives, to sell; when they want any they will send for it themselves; they would not be wholly deprived of it, but they would not have it brought by the Christians.

He desires four Men may be allowed to carry some Rum to Allegheney, to refresh the Indians when they return from hunting, and that none else be admitted to carry any. They also desire that some Rum may be lodged at Tulpyhockin & Pextan, to be sold to them, that their Women may not have too long a way to fetch it.

At a Council held at Philadia., August 16th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

James Logan, Clement Plumsted, Isaac Norris, Thomas Laurence. Samuel Preston, } Esq'rs.

The preceeding Minute of what passed between the Governor & Sassoonan being read & approved, The Governor acquainted the Board that there being then but few Members of Council present, he had delayed reporting to the Board the Answers he had received from the House of Representatives to the Messages agreed on the 4th currt., the Minute of which Council was likewise read & approved.

His Honour then proceeded to report,

That to the Message touching the Application of the Sugar Islands, he had received the House's Answer in the following Words:

"To the Honble Patrick Gordon, Esqr., Governor of the "Province of Pennsylvania & Counties of Newcastle, Kent & Sus-"sex, upon Delaware:

"May it please the Governor:

"We are heartily concerned that the Account of the Application

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" of the Barbadians to the Parliament of Great Britain, for an Act " to restrain the Trade of the British Northern Colonies, came so " late that the Representatives of the Freemen of Pensylvania had " not the Opportunity to represent the great Injury such an Act " would be to His Majesty's Subjects inhabiting this Province, and " how much they must suffer by such a Restraint.

" But as this Misfortune was in a great measure supplied by the " vigorous & seasonable Application of the Honble Proprietary " Family, We can do no less than acknowledge ourselves deeply " engaged to them, for their kind & generous Interposition in our be- " half. The Governour may be assured we shall readily defray the " necessary Charges expended in that Sollicitation, and apply our- " selves to furnish our Agent with such Information & Instruction " as we hope may be of weight when the Merits of the Bill comes " to be debated before the Noble Lords of the Upper House of Par- " liament.

" Signed by Order of the House,
" A. HAMILTON, Speaker."

Whereupon he had thought proper to lay before the House the Accounts of Charges expended in the Sollicitation of this Affair, amounting to £128 " " Str. with a Message in these Words:

" Gentlemen:

" The Concern you express for the true Interest of your Country " by your Message of yesterday, in answer to mine of the day be- " fore, cannot fail of being equally acceptable to all the good People " of this Province in general, as it is to me in particular. And as " the Sollicitations in Opposition to the Attempt of the Sugar Islands, " have been attended (as in all such Cases is usual) with a necessary " Charge, I herewith send the Agent's Account of money expended " in that Affair, & must recommend it to you to make Provision for " his Re-imbursement, & likewise to consider whether the Allowance " you have established for him is not by much too small when com- " pared with that of other Colonies, whose Business cannot occasion " a greater Application & Fatigue than ours must necessarily do, " And I perswade myself your House will the readier agree to this " when 'tis considered that this Gentleman has Several other Affairs " now under his Management at home, which are likewise of very " great Importance to the whole Province."

Augt. 6th, 1731.

That he had likewise received the House's Answer to the Message on Indian Affairs, in these Words:

" To the Honble Patrick Gordon, Esqr., Governor of the Province " of Pensylva.

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" The Answer of the House of Representatives to the Governor's " Message of the fifth instant:

" May it please the Governor:

" Upon Consideration of the Governor's Message & what was de- " livered to us verbally by his Secretary, we have resolved that it " is the opinion of this House that as a good Understanding hath at " all times, since the first settlement of this Province, subsisted be- " tween our Proprietary & his Deputy Governors & the Indians of " the five Nations, so every Opportunity ought to be embraced to re- " new & maintain the same, & to putt them in mind that the Repre- " sentatives of our late Honble Proprietarys & the People of Pensyl- " vania, retain the same Goodwill and Friendship for the five Na- " tions which the Honourable William Penn always expressed to them " in his Lifetime. And this House will readily defray the necessary " Charges that shall attend a Treaty with those People.

" And it is also the Opinion of this House, that due Notice be " taken of our own Indians, some of whom as we are informed, " have of late been uneasy at the Christians settling upon some " Lands to which they pretend Claim. Wherefore we request the " Governor that he would be pleased to move the Proprietary Trus- " tees to purchase such Lands of the Indians, (wch we understand " they are desirous to sell,) and this We conceive would effectually " remove those Complaints, and cultivate a good Understanding be- " tween us & them.

" We have duly considered the Laws of this Province now in " force against selling Rum to the Indians, & upon the whole are of " Opinion that unless the Indian Traders of our neighbouring Colo- " nies who daily traffick with our Indians, & supply them with any " Quantity of Rum they are desirous or able to purchase, could be " restrained from that Practice, all further Attempts to regulate our " own Indian Traders in this particular Article of Rum would prove " ineffectual.

" Signed by Order of the House,
" A. HAMILTON, Speaker."

But conceiving it highly necessary that some further Regulation should be made in the Indian Trade, & to give some Satisfaction to the House as to the other Points contained in their Answer, he had sent down a further Message on this subject to the House in the following Words, vizt:

" Gentlemen:

" As it is of the highest Importance to us at this time, that we " should not only cultivate the same good Understanding with the " Five Nations of Indians that has hitherto subsisted between this " Government & that People, but also that for the Reasons given in " my Message on this head, we should at this time Endeavour to " improve it further for our Security. I heartily thank you for your

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" enabling me by your last Answer to speak to them on these Sub-
" jects in the Name of the whole People of this Province, and for
" the Assurances you give me that your House will readily defray
" the necessary Charges of the Treaty to be held with them. But
" as the nature of such a further Treaty will absolutely require a
" greater Expense than such as have hitherto attended our usual
" Treaties with them in this Place, & that money should immediately
" be advanced at the time it is carrying on, I hope you will give such
" Orders to the Treasurer as that we may not be under any Exigen-
" cy on that head.

" But as those People have from time to time complained of the
" Abuses putt upon them by the great Quantities of Rum carried
" into the Woods, by means of which the Numbers of the Indians
" under their Care are by unhappy Accidents daily lessen'd, a fatal
" Instance of which has very lately happned that I doubt may deep-
" ly Affect us. And yet it is found altogether impracticable to carry
" on a Trade with them & to furnish them with Necessaries for their
" hunting & cloathing, which is the only Bond and Tie of their
" Friendship with us, without some moderate quantities of that Li-
" quor; nothing will more sensibly effect them nor more strongly
" engage them to us, than if I can assure them that now, at this
" present meeting of the Representatives of all our People, we have
" taken such measures as will furnish them with so much Liquor
" as they shall judge really necessary for them, and yet that it shall
" be so restrained as that the ill Consequences arising from larger
" Quantities forced on them, as the Practice has been, shall on our
" parts be effectually prevented. I must therefore request you most
" seriously to apply your thoughts to this important Subject, and to
" appoint a Committee that may agree on a Bill to be brought into
" the House for that Purpose.

" Your concern also that our own Indians should be made easie,
" & those Complaints be removed that they have made of the
" Christians settling the Lands they claim, is prudent & just, & in
" Complyance with your Request I shall not only move it to the
" Proprietary Trustees to make a Purchase of these Indians, but
" shall promote it by all the means in my Power. This I understand
" has been long delayed, solely in Expectation of the Arrival of
" some of our Proprietors, who as the Descendants of their late
" Honourable Father for whose Name all the Indians have the high-
" est Regard, would be the most Proper to manage such an Affair
" with their own Estate. But as I am assured the Gentlemen now
" in Trust for them have all possible Zeal & Affection for the Peace
" & true Interest of the Country, it is not to be questioned but that
" convinced by the Necessity of it, they will proceed to the utmost
" Length of the Powers they are invested with, so far as they can

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" with any Safety to themselves, to answer your & my Request in " so important an Affair.

" August 7th, 1731."

That upon Consideration thereof, & what was verbally represented by Mr. Logan, who attended the House & was heard on this Subject, a Bill had been brought in for preventing the Indians from being abused by Rum & strong Drink, &c., but that afterwards the said Bill was thrown out by a large Majority, of which His Honour was acquainted by a verbal Message from the House, & at the same time requested that the Laws now in force for regulating the Indian Trade, might be strictly putt in Execution.

The Governor then observing to the Board with what pernicious Consequences the Practice of carrying large quantities of Rum amongst the Indians might be attended, & how much the Publick Peace might be endangered thereby, Proposed to consider of some Expedient to prevent so great an Evil. And the Board thereupon were of Opinion that a Proclamn. should be published, to enforce Obedience to the Laws for regulating the said Trade, & to require all the Traders to attend the Governor personally for their Licenses; that a proper Examination may be made into their Character & past Behaviour, & that they come under such further Engagements as may be thought necessary for rendring the said Laws more effectual. And 'TIS ORDERED that a Proclamation for this Purpose be prepared by the Clerk, and laid before the Council at their next meeting.

The Governor acquainted the Board that an Opportunity now favourably presented itself of sending a Message to the Six (formerly called the Five) Nations by Shekallamy, who is willing to undertake it, & is a trusty good Man & a great Lover of the English; That therefore he was now to advise with the Council Touching the said Message; what Present might be proper to accompany it, and the Reward to be given Shekallamy. And the same being considered, the Board are of Opinion that an Invitation be sent to the Six Nations to come & visit us at Philadelphia; that a Present of about Ten pounds value shall accompany the Message, & It is Referr'd to Messrs. Logan & Preston to provide the same, & report what may be proper to give to the Messenger for his Trouble.

At the Courtho. of Philadia., Augt. 17th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.
Samuel Hasell, Esqr., a Member of Council, &
Thomas Griffits, Esqr., Mayor of Philadia.

A List was Presented of the Names of Thirty nine Palatines,

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who with their Families, making in all One hundred & seven Persons, were imported here in the Ship Samuel, Hugh Peircy, Master, from Rotterdm., but last from Cowes, as by Clearance from that Port. The Master being examined said he had no particular License for their Transportan.; They were then called in, and having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of 21st of September, 1727, & likewise took & Subscribed the Declaration of Fidelity and Abjuration.

Johan George Crisner,
Johan Fisher,
Johan Michal Glaim,
Engelbrod Shrawes,
Johan Henrick Knopp,
Philip Knopp,
Casper Holtzhausen,
Conraat Kert,
Johan Jacob Groust,
Johan Jacob Scheive,
Johan Henrick Hermel,
Frederick Babemeyer,
Lutwig Han,
Johannes Metzger,
Joest Wenst,
Christopher Kink,
Conrad Mellar,
Lutwig Goodbrodt,
Christopher Ritter,
George Sebald Madinger,
Hans George Bender,
Johanes Ditreich,
Hans Georg Loreman,
Philip Fredrick Vogell,
Andreas Erlewyn,
Johannes Millburger,
Hans Ritter,
Lutwig Heck,
Johan Cristofall Bauor,
Lutwig Sourmilg,
Johannes Kauns,
Johannes Pengler,
Hans Adam Wartsman,
Johan Georg Kopp,
Turgen Hendrick
Barent Tysen,
Georg Carl Wentz,
Hans Jerig Loreman,
Hans Georg Fleger.

At a Council held at Philadia., Augt. 20th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr. Lt. Govr.

Clement Plumsted, Ralph Asheton, } Esq'rs.
Thomas Laurence, Samuel Hasel. }

The Minute of the preceeding Council being read & approved, The Clerk according to order, laid before the Board a Draught of a Proclamation which being read was likewise approved, and 'tis ORDERED that the same be sealed & published forthwith, and that printed Copies thereof be sent into each of the Counties, which Proclamation is in these Words:

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" BY THE HONOURABLE PATRICK GORDON, ESQR.,
" Lieutenant Governor of the Province of Pensylvania, & Counties
" of Newcastle, Kent & Sussex on Delaware,

" A PROCLAMATION.

" WHEREAS by the Blessing of Almighty God on the just &
" prudent measures which, at the first Settlement of this Colony
" were entred into by its Honourable Founder, and have since been
" pursued by this Government, a firm & uninterrupted Friendship
" has been maintained between the Inhabitants thereof & its Native
" Indians, AND WHEREAS the more effectually to secure the
" same several expensive Treaties with them have been held, and
" divers wholesom Laws have been Enacted for regulating the Trade
" carried on with the said Natives, and for preventing their being
" abused with Strong Liquors. Notwithstanding which divers Per-
" sons of late have made it their Practice to carry amongst the said
" Indians large Quantities of Rum, by Means whereof they are not
" only grievously wrong'd, but such fatal Accidents too often ensue,
" as without a timely Interposition may destroy that good Agreement
" which hath hitherto subsisted between them & us, and likewise
" very much endanger the Publick Peace, as appears by the repeated
" Complaints not only of our own Indians, but of those to the
" Northward, who have formerly been known by the Name of
" the Five (but are now called the Six) Nations, AND WHEREAS
" the Representatives of the Freemen of this Province, at their last
" Session of Assembly upon a serious Consideration of the Premi-
" ses, have requested me that I would cause the several Laws now
" in Force, for regulating the Indian Trade & preventing Abuses
" committed by selling Rum to the Indians be strictly putt in Execution,
" I HAVE THEREFORE, by & with the Advice of the Council,
" thought fitt to issue this Proclamation, Hereby Requiring & Com-
" manding all & singular His Majesty's Subjects within this Province,
" who are any ways concerned in the Trade with the Indians, that they
" carefully observe & practice the Several Laws of this Government
" thereunto relating, as they will answer the contrary at their Peril;
" And that no Person or Persons whatsomever, presume to deal or
" traffick with the Indians in the Woods unless they are recommend-
" ed & licensed, as by An Act of General Assembly of this Prov-
" ince, pass'd in the eight year of the Reign of His late Majesty
" KING GEORGE, of blessed Memory, Entituled *An Act to pro-*
" *hibit the selling of Rum and other strong Liquors to the Indians,*
" *& to prevent the Abuses that may happen thereby*, is appointed
" & directed. Hereby Notifying to all & every such Person or Per-
" sons as shall hereafter be recommended by the Justices of any of the
" County Courts of Quarter Sessions within this Government, to
" Me for a License, that they present themselves personally before
" me in order to obtain the same: AND WHEREAS it hath been
" likewise represented to me, that several Non Residents & unsettled
" Persons continue to come into this Province, and clandestinely

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" deal & traffick with the Indians, & not being under any proper " Security are the less carefull of their Behaviour in their Dealings " with and Usage of the said Indians.

" FOR PREVENTION thereof I hereby strictly enjoyn all & " every of his Majesty's Justices of the Peace within this Govern- " ment, & more particularly those in the remoter parts of the Prov- " ince, that against such Offenders who shall hereafter be found " within the reputed Boundaries thereof, they cause An Act of Gen- " eral Assembly of the said Province, passed in the twelfth year of " the Reign of his Late Majesty KING WILLIAM the third, of " blessed Memory, Entituled the Law about Indian Traders, to be " strictly putt in Execution.

" Given in Council at Philadelphia, under my Hand & the Great " Seal of the said Province the twentieth day of August, in the fifth " year of the Reign of Our Sovereign Lord GEORGE the second, " by the Grace of God King of Great Britain, France & Ireland, " Defender of the Faith, &c., Annoq. Dom. 1731.

" GOD SAVE THE KING."

The Governor then informed the Board that Isaac Norris, Esquire, having for certain Reasons declined the Office of Chief Justice of this Province, some other proper Person ought to be appointed thereunto. And His Honour having named James Logan, Esquire, as a Gentleman whose well known Abilities sufficiently qualify him for that Station, The Board unanimously concurred in the said Nomination, & 'TIS ORDERED, that he be commissionated Chief Justice accordingly.

The Governor further represented that by several Petitions from the Inhabitants of the back parts of Chester County, now laid before the Board, it appears there is great Want of a Magistrate there; And His Honour proposing that one John Karnaughan being in those parts, of whom he said he had received a favourable Character, should be assigned a justice of the Peace. The Board agreed thereto & ORDERED that he be Commissionated accordingly.

At a Council held at Philadia., Septemr. 2d, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Governr.

James Logan, Isaac Norris, Saml. Preston, Thomas Laurence, Samuel Hasell. } Esq'rs.

The preceeding Minute being read & approved, the Governor proposed the issuing of a New General Commission of the Peace for the City & County of Philadelphia, But the Consideration thereof for several Reasons is thought proper to be deferred.

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At the Courthe. of Philadia., Septr. 11th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Thomas Griffits, Esqr., Mayor of Philadia., &

William Allen, Esqr., one of His Majesty's Justices of the Peace for the said City, &c.

A List was presented of the Names of Fifty seven Palatines, who with their Families, making in all One hundred & seventy five Persons, were imported here in the Ship Pensylvania Merchant, Jno. Stedman, Master, from Rotterdam, but last from Dover, as by Clearance from that Port. The Master being examined said he had no particular License for their Transportation: They were then called in, & having declared that their Intentions were to settle & live peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of Septr., 1727; & likewise took & subscribed the Declaration of Fidelity and Abjuration.

Michael Gabertz,
Michael Feider,
Johan Michael Moll,
Hans Adam Kremmer,
Fredrick Wrlsheyt,
Hartman Hunsucker,
Johan Bartel Gookar,
Jacob Lanius,
Pieter Smit,
Abraham Foiber,
Johan Nicolas Re,
Martin Boger,
Jerig Henrick,
Christian Smit,
Hans Georg Keyleir,
Jacob Steiner,
Christain Weysar,
Johannes Drell,
Abraham Freeman,
Fredrick Gybertz,
Fredrick Strubel,
Christain Smidt,
Johan Georg Meyer,
Johan Georg Bergstroster,
Johan Henrick Smidt,
Johan Barent Arent,
Christofoll Moll,
Valentine Schultz,
Frank Kryhe,
Johan Jacob Kryhe,
Henrick Kreemer,
Baltzar Seyler,
Johan Nicolas Steymutz,
Johan Adam Egling,
Christopher Beyer,
Johan Jacob Woltzhoflen,
Johan Schenkell,
Valentine Snyder,
Johan Philip Beyer,
Conraat Sybert,
Hans Martin Schultz,
Roolof Kusman,
Johannes Reymert,
Nocholas Foss,
Laurence Roodt,
Conrad Koogh,
Jacob Mumma,
Melchier Willholtz,
Adam Sowyer,
Michael Gyger,
Joannes Shaak,
Johan Engelbert Lak,
Johan Georg Smidt,
Hans Michl. Horloger,
Burkhort Killmer,
Johannes Bischoff,
Andreas Beyer.

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At the Courtho. of Philadia., Sepr. 21st, 1731.

PRESENT;

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Clement Plumsted, Thomas Laurence. } Erq'rs., Members of Council.

Derick Jansen, Esqr., one of His Majties Justices of Peace for the County of Philadelphia.

A List was presented of the Names of One hundred & six Palatines, who with their Families, making in all Two hundred & sixty nine Persons, were imported here in the Ship Britannia, of London, Michael Franklyn, Mr., from Rotterdam, but last from Cowes, as by Clearance from that Port. The Master being Examined said he had no particular License for their Transportation. They were then called in, & having declared that their Intentions were to settle & live Peaceably in this Province, the several persons whose Names are subjoyned, did repeat and sign the Declaration inserted in the Minute of the 21st of Septr., 1727, & likewise took & subscribed the Declaration of Fidelity & Abjuration.

Johannes Bartholomay Rieger.
Louis Timothee,
Geles Gelesen,
Gisbertus Boors,
Johannes Boors,
Jacob Swenkoel,
Henric Geber,
Johannes Geber,
Johan Henric Geber,
Jacob Ritsch,
Lucas Vetter,
David Vetter,
Johannes Alberts,
Abraham Allshousen,
Johan Henrick Bahn,
Hans Michael Blatnert,
Veith Bruninger,
Johan Jacob Beyer,
Johan Adam Beyer,
Henric Blicker,
Leonard Bock,
Hans Boshung,
Hans George Ebert,
Hans Michael Ebert,
Johannes Eshleman,
Johannes Agender,
Johannes Frey,
Hans Michael Deibellbissin,
Hans George Deibellbissin,
Hans Michael Willhelm,
Joseph Beyer,
Hans Georg Gunt,
Hans Georg Friedle,
Jacob Gunt,
Hans Peter Garner,
Hans Michael Heaninger,
Rudolph Holsinger,
Hans Leonard Haltzarfall,
Erasmus Haltzarfall,
Henric Herbertz,
Jacob Hachman,
Johan Heistand,
Michael Horsch,
Daniel Hubert,
Christian Hubert,
Jacob Carl,
Ulrick Keyser,
Henrick Kram,
Nicolas Kennell,
Jacob Kobell,
Abraham Kern,
George Dietric Kohl,
Johannes Kirkner,
Gottfried Krafft,
Valentine Klain,
Wilhelm Korkes,
Wendel Lautermilch,

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Christopher Lehman,
Johan Philip Lutz.
Hans Peter Lederman,
Michael Meyer,
Hans Jacob Mentz,
Jacob Meyer,
Christofall Meyer,
Johan Thomas Meyer,
Hans Henrick Martin,
Jacob Mier,
Michel Moths,
Johan Casper Muntz,
Christian Muller,
Herman Muller,
Mathias Nehs,
Johan Nehs,
Dewald Nehs,
Hans Georg Nehs,
Mathias Nehs, junr.,
Georg Passage,
Gabriel Roscher,
Johannes Roth,
Jacob Rohr,
Johan Adam Ruppert,
Leonart Steininger,
Michel Nehs,
Hans Georg Muller,
Johan Leonard Bihlmeir,
Johan Martin Sakreider,
Johan Michel Schrotner,
Michel Stocker,
Georg Wilhelm Schwartz,
Henric Lutwig Schwartz,
Johan Adam Schroter,
Valentine Siegmund,
Jacob Sumaker,
Johannes Smiedt,
Christofall Trubar,
Hans Vogler,
Leonard Virohn,
Oswald Wald,
Hans Martin Wetzell,
Georg Wanamaker,
Johan Jacob Weynand,
Casper Weis,
Jacob Wirtz,
Jacob Nehs,

24th September, 1731.

MEMORANDUM: The Governor, by and with the Advice of some Gentlemen of his Council, this day issued a Commission to Thomas Watson of the County of Bucks, Esqr., appointing him to be the Officer in that County, for putting in Force a Law of this Province for regulating Weights & Measures.

At a Council held at Philadia., October 4th, 1731.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lt. Govr.

Isaac Norris,	Clemt. Plumsted.	} Esq'rs.
Samuel Preston,	Ralph Asheton.	

Returns from the several Counties of the Province & from the County of Newcastle, of Persons elected for Sheriffs & Coroners the ensuing year, were laid before the Board, with whose Approbation the Governor named the Persons following to fill those Offices:

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For the City & County of Philadelphia. Charles Read & James Bingham being returned for Sheriffs, & Owen Owen & John Roberts for Coroners, Charles Read is appointed Sherif, & Owen Owen Coroner.

For the County of Bucks. John Hart and Isaac Penington being returned for Sheriffs, & Willm. Atkinson & Jonathan Wolston for Coroners, Isaac Penington is appointed Sherif & Wm. Atkinson Coroner.

For the County of Chester. John Owen & William Smith being returned for Sheriffs, & John Wharton & Benjamin Davis for Coroners, John Owen is appointed Sherif & John Wharton Coroner.

For the County of Lancaster. John Galbraith & David Jones being returned for Sheriffs, & Joshua Lowe & Edward Smout for Coroners, John Galbraith is appointed Sherif & Joshua Lowe Coroners.

For the County of Newcastle. John Gooding & Henry Newton being returned for Sheriffs, & Abraham Gooding & Robert Robertson for Coroners, Jno. Gooding is appointed Sherif & Robert Robertson Coroner.

And Commissions were Ordered to be issued accordingly; the Sheriffs Giving Security as the Law directs.

October 6th, Out of Council.

Returns from the Counties of Kent & Sussex being laid before His Honr., the Nomination was thus:

For the County of Kent. John Hall & Thomas Tarrent being returned for Sheriffs, & Samuel Berry & Nicholas Loockerman for Coroners, John Hall is appted. Sherif & Nicholas Loockerman Coroner.

For the County of Sussex. Simon Kollock & James Finwick being Returned for Sheriffs, & Cornelius Wiltbank & John Clowes for Coroners, Simon Kollock is appointed Sherif & John Clowes Coroner.

And Commissns. are ordered to be issued accordingly.

At the Courtho. of Philadia., Octobr. 14th, 1731.

PRESENT:

The honble PATRICK GORDON, Esqr., Lt. Govr.

Clement Plumsted, Ralph Asheton. } Esq'rs., Members of Council.

Thomas Griffits, Esqr., one of His Majesty's Justices of the Peace for the City of Philadelphia.

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A List was presented of the Names of Thirty three Palatines, who with their Families, making in all Seventy eight Persons, were imported in the Snow Louther, Joseph Fisher, Master, from Rotterdam, but last from Dover, as by Clearance from that Port. The Master being Examined, said he had no particular License for their Transportation. They were then called in, & having declared that their Intentions were to settle & live Peaceably in this Province, the several Persons whose Names are subjoyned, did repeat & sign the Declaration inserted in the Minute of the 21st of Septemr., 1727, and likewise took & subscribed the Declaration of Fidelity & Abjuration:

Gottfried Lehman,
Johan Christian Lehman,
Jacob Michol,
Jacob Keesey,
John Vendal Keesey,
Hans Jacob Brunner,
Hans Bonun,
Johann Matthias Cramer,
Hans Georg Haunrig,
Philip Pieter Visenant,
Johan Pieter Visenant,
Henrick Hovervass,
Philip Eckford,
Ulrick Michal,
Jacob Holtzinger,
Christopher Omborn,
Melchior Heydon,
Philip Kintz,
Dorst Hooste,
Hans Reeche,
Anthony Bankauf,
Jehan Nicolas Smiet,
Johannes Ulrick,
Johannes Conrad Frank,
Jacob Snively,
Christopher Newbert,
Joseph Christop. Bauman,
Christian Ernest Hagenmuller,
Dorts Bowman,
Hans Philip Ulrick,
Caspar Bectar,
George Scholltz,
Daniel Veisiger,

—

OCTOBER 15th.

The Representatives of the Freemen of this Province Elected the 1st instant, having mett yesterday in Assembly, pursuant to the Proprietor's Charter of Privileges, and the Law in that Case made and provided, and having proceeded to the Choice of a Speaker, notified the same by a Message to the Governor last night, and desired to know when he would be pleased to receive them that they may present their Speaker. And His Honour having named ten a clock this forenoon for that Purpose the House waited on the Governor accordingly, to whom Andrew Hamilton, Esqr., addressing himself said, that the House having thought fitt to chuse him their Speaker, he was now before His Honour for his Approbation. The Governor having approved of the House's Choice, the Speaker in their Name made the usual Request for the Freedom of Speech; Access to the Governor's Person, Protection during the accustomed time of Privilege, &c., which the Governor having promised, the House withdrew.

E.

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At a Council held at Philadia, the 12th Novr., 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan,	Thomas Laurence,	Esq'rs.
Isaac Norris,	Samuel Hasell,	
Clement Plumtsed,	Ralph Assheton.	

The Governor acquainted the Board, that by the Ship from London which arrived yesterday, he had received a Letter from Mr. Paris the Agent for this Province, giving Account that the Sugar Islands were making great preparations for renewing, next Session of Parliament, their Application to obtain an Act for restraining the Trade of these Northern Colonies; That Petitions were coming from the Governor, Council and Assembly of each Island, to give their Application the greater Weight; that it would be necessary the Opposition should be made in the like manner, and therefore desiring that Petitions from Hence to His Majesty and both Houses of Parliament should be with all speed transmitted, together with full Instructions to himself; That the Act for establishing Courts of Judicature, passed here in the year 1727, had after a long Consideration of it before the Lords of Trade & Committee of Council, been repealed.

The Governor then observing that both these matters were of the greatest Consequences to the whole Province, & required the immediate Consideration of the Legislature, desired the Advice of the Board whether it would not be proper forthwith to call the Assembly, in order to lay these important Affairs before them.

The Board being unanimously of Opinion that the Speedy meeting of the Assembly for this purpose is absolutely necessary,

IT IS ORDERED that Writts forthwith issue, requiring them to meet at Philadelphia, the twenty second day of this instant, November.

E.

—

NOVEMBER 23d.

The House of Representatives having mett last night, in pursuance of the Writts issued, notified the same to the Governor, who directed a Council to be Summoned to meet this morning, in order to lay before them a Speech which he intended to make the House, and likewise the Advices which he had received from the President of His Majesty's Council of New York, touching the Incroachments of the French on that Government and the Erecting Fortifications in the Neighbourhood of Albany, with the Examination of Two Indian Traders taken here, relating to to the Practices of the French, in endeavouring to gain over to their Interest several Nations of

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Indians now in League with the English, of which His Honour had thought proper to take Notice in his said Speech, But a Quorum of the Council not meeting at the appointed time, The House was sent for, & the Governor spoke to them as follows:

" Gentlemen:

" It is not without some uneasiness to me, that on the Receipt of " certain Letters from our Agent by the last Ship from Britain, I " found myself under a Necessity of calling you together before " the Day to which you stood adjourned; Those parts of them which " have any Relation to our Publick Affairs I now lay before you, by " which you will find that the Sugar Islands are preparing to renew, " and more vigorously than ever, carry on their Attack against the " Trade of these Northern Colonies, in a Branch of it, in which tho' " we are not immediately and directly so deeply concerned as some " others, yet if they are abridged of Vending their Flour in those " Channels, and confined only to such as this Province has generally " traffick'd in, it will in the Consequence no less nearly affect our " Trade in that Commodity than it will theirs, and all who depend " on that Manufacture will be Equally Sufferers. I was therefore " unwilling that after I had notice thereof, one Day should be lost " in giving you an Opportunity of considering what further Meas- " ures were proper to be entred into by this Government, in order " to prevent if possible, so severe a Blow to the Trade of this Place, " and such a heavy Discouragement to the industrious Farmer, by " whose Labours grain is raised.

" The Repeal also of our last Law for establishing Courts of Judi- " cature, obtained by the Endeavours of some Persons on pretence " that it is prejudicial to His Majesty's Interest, (of which, tho' it is " not notified to me in form, I have notwithstanding certain Advice,) " may deserve your Consideration. Yet as by that Repeal the for- " mer Law, pass'd in the Year 1722 for the like purpose, comes " again in force, the Inconveniency I hope will be the less; the " greatest is the Charge that you will find hath attended the Defence " of it, which tho' greater than we could have wished, had been in- " curred on that Occasion, yet as the Pains that have been taken " in that Defence give a manifest proof of the Care and Vigilance " of our Agent, in supporting the Rights of the Freemen of this " Province, you will no doubt consider his Services and the Neces- " sity of a further Encouragemet to one in his Station.

" The late Encroachments of the French in erecting Fortifications " so near to Albany, and their incessant Endeavours in practising " on our Indians, to gain them over to their Interest, have deservedly " alarmed our Neighbours, the Province of New York, who have " humbly besought his Majesty's Protection, and from his Royal " Concern for the Ease and Security of all his Subjects, it is to be " hoped effectual Measures may be concerted for putting a timely " stop to such dangerous Attempts in these his Majesty's Dominions. " From what hath been communicated to me on these Heads, and

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" the Examinations of some of our own Indian Traders lately taken " before me, you will clearly see the Necessity of turning your " Thoughts to the Consideration of Indian Affairs, and of providing " by proper Regulations for the Peace and Safety of the Province, " which is too frequently endangered by Persons Settling on Lands " not yet purchased of the Natives, and the undue Manner in which " our Trade with them for these several Years past has been carried " on. We have now large Expectations given us of seeing one of " our Honourable Proprietors here next Spring, who, as they suc- " ceed to the Honours and Estate of their much Esteemed Father, " our late worthy Proprietor, we cannot doubt but they Equally in- " herit his Virtues and imitate his Example, in their Affection and " Goodwill for this Province, and therefore cannot fail of being " cordially received by all its Inhabitants.

" It may be very convenient to proceed at this Meeting to consider " of such other publick Business as may come before you, which " will be an Ease to yourselves and a means of lessening the Pub- " lick Expence."

E.

Extracts of several Paragraphs of the Agent's Letters, the Advices from New York, & the Examination of two Indian Traders were the same day sent down to the House from the Governor.

NOVEMBER 24th.

The Governor this day received the following Address from the House:

" To the HONOURABLE PATRICK GORDON, ESQUIRE, " Lieut. Governor of the Province of Pennsylvania, &c:

" The ADDRESS of the Representatives of the Freemen of the " said Province in General Assembly met.

" May it please the Governor:

" We are very sensible of the Great Care and Regard the Gov- " ernor has upon all Occasions shewn for the Prosperity of the " Province of Pennsylvania; And we esteem the calling us together " at this time and upon this Occasion, and the communicating to us " the Advices from Great Britain, as a fresh Instance of his real " Concern for our Welfare.

" We are fully convinced that if such an Act of Parliament as " is pray'd for by the Inhabitants of the Sugar Islands, should pass, " it would be of very ill consequences not only to his Majesty's " Northern Colonies in America, but also to the Trade of Great " Britain itself. And we should be much wanting in our Duty to the " People we represent, did we not lay hold of every Opportunity and " do every thing in our Power, that we can judge may be proper to

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" prevent the destroying this infant Colony, which the restraining of " its Trade would effectually do, by that means putting it out of our " Power to be serviceable to our Selves, or useful to our Mother " Country.

" We are extremely concerned that their Lordships of the Board " of Trade were so ill informed of the Intentions of the Legislature " of Pennsylvania, in passing the Act of Assembly for establishing " Courts of Judicature, or that it should be understood as proceed- " ing from a want of Duty to the King or Regard to the Persons " employed under him.

" The Governor is sensible the Legislature had no other View in " the making that Act, than to give an Opportunity to all Persons " who may have to do with Courts of Justice here, to apply to a " Superior Judicature for Redress, by way of Appeal or Writt of " Error, if they conceived themselves aggrieved by the Sentence of " that Court, before whom Judgement was given, which by our Con- " stitution no Person can have but by Appeal to Great Britain, if the " Supreme Court can hold Plea of Causes originally commenced " there. But upon reading the Papers which the Governor has been " pleased to communicate to us touching the Repeal of the said Law, " and the Methods that have been taken to obtain it, We cannot help " saying that so much of the Representation made to the King as " insinuates the Partiality of our Inferiour Courts of Justice, or that " the said Act was gained by the undue Influence of particular Per- " sons, on the Governor and the General Assembly of this Province, " is false and scandalous, and that the Author studied rather to re- " commend himself by such Suggestions, than to do His Majesty any " real Service.

" We are well satisfied of the care and diligence of our Agent, " and shall not be wanting to give such Encouragement as his Ser- " vices deserve and our Circumstances will admitt. But we observe " with Concern that the Expenses arising upon the Solicitation of " our Affairs in England this last year, which are now to be discharg- " ed, have far exceeded any thing of this kind that hath hapned to " this Province heretofore.

" We cannot be without just Apprehension of the daily Encroach- " ments of the French, as well upon our own Frontiers, and our In- " dians, as those of our neighbouring Colonies. This Danger now " seems very eminent, and tho' we have not the means in our hands " to prevent it, yet we esteem it our Duty to do every thing in Pow- " er to give our Superiors a true Information of the ill State of the " Northern Colonies in general, and of the Subjects of the Crown " of Great Britain inhabiting the Province of Pennsylvania in par- " ticular, from the late bold Attempts of our two nigh Neighbours, " the French, whose Assiduity even now in Time of Peace, in ma- " king Encroachments upon our Country, is but too manifest.

" We are of Opinion that the due Execution of the Laws now in

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" being, may be very effectual to prevent any mischiefs arising eith-
" er by the ill Practices of our Indian Traders, or the People's
" settling upon the Lands not yet purchased of the Natives.

" The Liberties and Privileges we derive by the Charter
" granted to the People of this Province, by our late Honourable
" Proprietor, cannot fail of exciting in every good Man a strong De-
" sire of seeing any of His Descendents here, and their being In-
" heritors of his Vertue and Affection to the People, will justly
" Entitle them to a joyful Welcome to their Province of Pennsylva-
" nia."

Signed by Order of the House.

" A. HAMILTON, Speaker."

To which His Honour gave the following Answer:

" Gentlemen:

" The Regard you express for the Honourable Proprietary Fami-
" ly, and the Sense you entertain of my Endeavours for the Publick
" Service cannot but be very agreeable to me. And I am perswaded
" your House will not fail of shewing a proper Zeal for the Interest
" of your Country, by a carefull Consideration of what has been
" recommended to you."

E

NOVEMBER 25th.

The House by a Message having this day desired that the Gover-
nor would please to appoint some Gentlemen of his Council to confer
with a Committee of the House, on the Subject of the Addresses to
be prepared for His Majesty and both Houses of Parliament, The
Governor appointed James Logan, Isaac Norris & Clement Plumsted,
Esquires, for that Purpose, and notified the same to the House by his
Secretary.

E.

At a Council held at Philadelphia, Novr. 27th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan,
Isaac Norris,
Samuel Hasell. } Esquires.

The Governor having imparted to the Board the several Papers
referr'd to in his Speech, together with the House's Address, a Bill
sent up was read, Entituled

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AN ACT for Reviveing and continuing the Proceedings of the Courts of Judicature within this Province, to which some small Amendments being made, the same was ordered to be sent down to the House.

The said Amendments being agreed to:

P. M.

The whole House waited on the Governor, and their Speaker presenting the Bill above mentioned for His Honour's Assent, the same was passed into a Law of this Province, & a Warrant Signed for affixing the Great Seal thereto. The Governor was acquainted that the Addresses when fairly engrossed would be laid before him.

E.

At a Council held at Philadelphia, Decemr. 4th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

Clement Plumsted, Ralph Assheton, } Esquires.
Thomas Laurence, Samuel Hasell. }

The Engrossed Adresses to the King, Lords & Commons which had been prepared by a Committee of this Board and of the House of Representatives were this day read, and being Signed by the Governor and by the Clerk of the Council by Order of the Board, were directed to be returned to the Committee appointed by the House to correspond with the Agent, that being signed by the Speaker they may be forthwith transmitted.

Which several Addresses are in these Words:

" TO THE KING'S MOST EXCELLT. MAJESTY:

" THE PETITION of the Lieutenant Governor and his Council " and of the General Assembly of the Province of Pennsylvania:

" In most humble manner sheweth:

" THAT the tender Concern your Majesty has on all Occasions " shown for the Prosperity of your People, and your Singular Good- " ness in condescending to hear the Complaints of even the meanest " Emboldens us, your Majesty's Dutifull and most Loyal Subjects, " to cast ourselves at your Majesties feet and implore your Princely " Interposition in favour of your Northern Colonies on the Continent " of America, now most unnaturally attacked by Our fellowSubjects " of Your Majesty's Sugar Islands, who not content with the Great " Gains they yearly make from their rich Plantations, Endeavour by " Misrepresentations to obtain an Act of Parliament for debarring " these Colonies in Effect, from all Commerce with any others in " America but themselves. The certain Consequence of which

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" would prove a vast Diminution to the Navigation of Great Britain,
" an Increase of the Shipping of Our foreign Neighbours, a large
" Reduction to the Exportation of the British Manufactures, and by
" the Decay of their Trade would extreamly impoverish these your
" Majesty's Colonies, and by that means not only render us useless
" to Our Mother Country but expose Us to great Dangers from
" our powerfull Neighbours, the French, by whom we are now sur-
" rounded.

" We therefore most humbly beseech your Majesty, that you
" would be graciously pleased to extend your Princely Compassion
" to Us by discourageing an Attempt so injurious, as well to the
" Interest of Great Britain as to that of your Majesty's faithful and
" Loyal Subjects, inhabiting your Northern Colonies in America.
" And your humble Petitioner's as in Duty bound, shall ever pray
" for your Majesty's Long and prosperous Reign."

" TO THE RIGHT HONOURABLE THE LORDS SPIRIT-
" UAL & TEMPORAL, in Parliament Assembled.

" THE PETITION of the Lieutenant Governor, his Council
" and of the General Assembly of the Province of Pennsylvania,

" HUMBLY SHEWETH:

" THAT a Design having been formed by some Inhabitants of
" His Majesty's Sugar Islands, to promote their own private Advan-
" tage by restraining the Trade of His Majesty's Northern Colonies
" on the Continent of America, and engrossing it to themselves, A
" Bill for that Purpose was brought into the Parliament of Great
" Britain at their last Sessions, which then most happily Stopt with
" your Lordships.

" That your Petitioners are under the deepest Concern to find that
" an Attempt of the like Nature is again to be renewed, which, should
" it take Effect, will not only tend to the Ruin of this and the other
" British Colonies on this Continent, but likewise most sensibly Affect
" the Trade and Interest of Great Britain itself.

" Your Petitioners therefore most humbly pray that they may be
" heard by Council, before any Bill so injurious in its Consequences
" to this and His Majesty's other Northern Colonies on the Conti-
" nent of America, do pass into a Law. And your Petitioners as in
" Duty bound, shall ever pray, &c."

" TO THE HONOURABLE THE COMMONS OF GREAT
" BRITAIN, in Parliament Assembled:

" THE PETITION of the Lieutenant Governor and his Coun-
" cil & the General Assembly of Pennsylvania,

" Humbly Sheweth:

" THAT from the great Care and Vigilance the House of Com-
" mons hath at all times shewn for the Welfare and Safety of their
" fellow Subjects of every Degree, your humble Petitioners are en-
" couraged to hope that the same tender Regard will be extended to

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" them and His Majesty's other Northern Colonies in America, in a " Point that not only deeply affects their Interest, but That also of " the whole Kingdom of Great Britain.

" This, may it please your Honourable House, is the unnatural " Attempt of His Majesty's Subjects of the Sugar Islands, who " presuming as we Judge, on their great Wealth already acquired, " and in hopes of further augmenting it, are now endeavouring to " obtain an Act for restraining the Trade of these Colonies with the " foreign Plantations, and in a great Measure confining it to them- " selves alone, not only to the Oppression of His Majesty's Subjects " Inhabiting these Colonies, but to the Manifest prejudice of Britain " itself, by lessening the Exportation of its Manufactures, which on " the passing of such an Act must inevitably Ensue.

" But if it shall appear that these His Majesty's Colonies will by " such an Act, if it should Pass, be not only impoverished, and " thereby made an Easy prey to our Powerfull and watchfull Neigh- " bours, the French, who now surround us and appear bent on en- " larging their Dominions, but also be rendred useless and unprofit- " able to Great Britain. Your Petitioners crave Leave to hope from " the Great Wisdom of this Honourable House, that an Attempt " which may be attended with so many destructive Consequences, " will never be Countenanced by the Commons of Great Britain.

" Wherefore your Petitioners most humbly pray that they may " be heard by their Council against the Bill, and in Support of what " is with all Dutyfull Submission here alledged. And your Peti- " tioners as in Duty bound, shall ever pray."

E.

At a Council held at Philadelphia, Decemr. 10th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Clement Plumsted, } Esq'rs.
Isaac Norris, Samuel Hasell. }

Shekellamy accompanied with Cehachquey, a Cayoogoe Indian, being returned from the Six Nations, reported by Conrad Weyser and John Scull, Interpreters:

That he had delivered the Governor's Message to the Chiefs of the Six Nations at Tsanandowa, who were extremly pleased to hear from the Governor; that they received the Message very Kindly, but said that the Winter now coming on they could not come down, but would certainly visit us in the Spring when the Days are longer, in Confirmation whereof they have sent a small Bundle of Indian drest Deer Skins. That the Chiefs of these Nations are now grown very

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old and unfitt to bear the Fatigue of a long Journey, but that they will certainly visit us their Brethren, when the days grow longer and the Sun gives more heat, and in Confirmation thereof they have sent another small Bundle of Indian drest Deer Skins.

That the Indians at Tsanaadowa have taken care to dispatch Messengers with the Governor's Message & the Presents, to the others of the Six Nations, and to acquaint them to be ready to visit us by the time they have appointed.

Shekallamy then said he had somewhat from Allummapees or Sassoonan to deliver to the governor, which is this:

That Sassoonan sent by him some strings of Wampum with a Message to the Indians at Tsanandowa to acquaint them that he could not come to Tsanandowa as he intended, by Reason of his Age and Inability to travel, but that as 'twas expected the Six Nations would come to Philadelphia, he would wait for them at his own house as they passed that Way.

E.

At a Council held at Philadelphia, Decr. 11th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan, Clement Plumsted, } Esq'rs.
Isaac Norris, Samuel Hasell. }

The Governor having proposed to the Board to Consider of an Allowance to be made to Shekallamy for his Journey to the Six Nations, and to Conrad Weyser for coming hither with him from Tulpachockin, It is ORDERED that Ten pounds be given Shekellamy, or the Value thereof, in such Goods as he shall seem most desirous to have, and forty Shillings to Conrad Weyser, the Interpreter.

E.

JANUARY 18th.

The House of Representatives having mett on the 10th instant pursuant to their Adjournment, & notified the same to the Governor, the following verball Message was this day brought by four Members.

That the Creek commonly called Cobb's Creek, being the Bounds or Limits of the Counties of Philadelphia & Chester, is oftentimes very difficult & dangerous to be crossed; Wherefore the House request the Governor that he would be pleased, with the Concurrence of his Council, to give proper Directions for the Building a Bridge

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over the said Creek, pursuant to an Act of General Assembly of this Province in Cases of the like Nature provided.

The Governor answered:

That he would advise with his Council and do whatever is in his Power to answer the Request of the house.

E.

At a Council held at Philadelphia, Janr. 19th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence, } Esq'rs.
Clement Plumsted, Samuel Hasell. }

Two Bills sent up from the House were read, Entituled

AN ACT for repealing An Act Entituled an Act for continuing the Encouragement for raising of good Hemp within this Province.

AN ACT directing the manner of Payment of Assembly Men's Wages:

The first was agreed to without Amendment & ordered to be returned but some Debate arising touching the other, the Consideration thereof was deferred till to morrow.

A verbal Message was brought the Governor by two Members of the House:

That in Regard of its Thinness, occasioned by the prevailing Distemper of the small Pox, and that no Business of great Moment now lies before them, they are inclineable with the Governor's Approbation to adjourn to August next; But that in Case of any Emergency they shall be ready to meet the Governor when he shall see good to convene them.

The Governor answered:

That considering the present Situation of the House, he would not object to their Adjournment.

E.

At a Council held at Philadelphia, January 20th, 1731.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,
Clement Plumsted, } Esquires.
Thomas Laurence,

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The Bill directing the manner of Payment of Assembly Men's Wages was again had under Consideration, and after some time spent thereon, the following Message was drawn up, and being sign'd by the Governor was ordered to be carried down to the House with the the Bill:

GENTLEMEN:

The Bill directing the manner of Payment of Assembly Men's Wages which is herewith returned, has been fully considered by me in Council. And as the Method thereby proposed deviates so much from the Practice which has hitherto been in Use in this Government, and as yet obtains in most of those in our Neighbourhood, & Seems to be an Innovation in the Constitution, many strong Objections have been raised against the Bill. But inasmuch as the Term of its Duration is but short, and the Fund it is Supposed may be sufficient for that time to answer this Service and the other Exigencies of Government, I have agreed to pass the same upon this Special Condition, that it shall not be drawn into a Precedent for the future, but at the Expiration of the three years limited in the Bill, the Act for raising County Levies shall in all its parts effectually take place, according to the Amendment herewith proposed, and that this Declaration stand on the Minutes of the House.

E.

The Same Day, P. M.

A Message being brought to the Governor by two Members of the House, desiring to know when he would be pleased to receive them, in order to pass into a Law the Bill for repealing the Act allowing a Bounty on Hemp, which had been sent down without Amendment, His Honour named 3 a clock this afternoon for this Purpose.

And the whole House attending accordingly, their Speaker delivered to the Governor an Order on the Trustees of the General Loan Office of this Province, for seven hundred and fifty pounds in part of the Support for the current Year, and then presenting the Bill last mentioned, the same was passed into a Law of this Province & a Warrant issued for affixing the Great Seal thereto.

The Speaker then acquainted the Governor that the Message from His Honour had given great Uneasiness to the House as charging them with Innovations; that being unwilling to enter into a Contest they had for the present laid aside the Bill, and had directed him to desire of his Honour that he would order the said Message not to be Entred on the Minutes of Council.

The Governor answered that as he conceived he had an undoubted Right to offer Amendments and make Propositions on any Bill that should Come before him, he had done so in the present Case; that

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he was sorry the House had thought fitt to take Offence at some Words in the Message, but as to ordering the same not to be entered in the Council Books he must Consider of it.

After which he spoke to the House as follows:

"Gentlemen:

"I return you my hearty thanks for what you have now thought "fitt to order towards Support of Government. And as your pres- "ent Session, by reason of the Thinness of your House, occasioned by "the Distemper still prevailing as I understand in many parts of the "Country, is so very short that divers Affairs of Importance to the "Publick that would require your Attendance must be deferr'd, I am "to put you in mind that there will be an absolute necessity for your "Meeting again at some convenient time this year to proceed on "those Affairs, and particularly, I must observe that what I recom- "mended to you at your first Meeting, when I laid before you the "Advices I had received from the Government of New York, with "some other Papers touching the late Attempts and Incroachments "of our Neighbours, the French, both on that and this Province, "will demand your most serious Application, on which Head I "should have said more at this Meeting, but that expecting fuller "Accounts of our Intended Treaty with the Five Nations in the "Spring, and other more certain Advices than I have yet received "from the Western parts of the Province, I have chosen to defer it "till we can be more perfectly informed of those proceedings. In "the mean time I shall not be wanting in my Duty to inform His "Sacred Majesty by his Ministry, of the said Attempts, that proper "Measures may be taken for the Security of these His Majesty's "Dominions."

E.

At a Council held at Philadelphia, the 4th May, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris, Samuel Preston, Clement Plumsted, Samuel Hasell, Ralph Asheton. } Esq'rs.

The Governor having communicated to the Board the Message from the House of the 18th of January last, touching the Building a Bridge over Cobb's Creek, and having desired the Advice of the Council therein, It is the Opinion of the Board that Saml. Powell of Philadelphia, & Samuel Levis of Chester County, may be proper Persons to undertake that Work; and they are appointed

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to fix on the most convenient place for erecting the said Bridge, to treat with the Workmen and compute the Cost, and to make Report thereof to this Board.

E.

At the Courthouse of Philadelphia, May 15th, 1732,

PRESENT:

The Honourable the Governor,
With Severals of the Magistrates.

Thirteen Palatines, who with their Families, making in all ——— Persons, were imported here in the Ship Norris, Thomas Lloyd, Mar., from Boston, did this day take & Subscribe the Effect of the Oaths of Allegiance, Supremacy & Abjuration; and likewise did repeat and Sign the Declaration inserted in the Minute of the 21st September, 1727.

Casper Shirch,
Marting Osiner,
Mathias Weber,
Johan Philip Weber,
Johan Herb Minicher,
Johan Michael Sigmund,
Johan Ditrich Yungman,
Johannes Behn,
Christian Kininger,
Johannes Herman,
Valentine Westheber,
Johan George Libenstein,
Michael Anderras.

At a Council held at Philadelphia, May. 15th, 1732. P. M.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

Isaac Norris, Thomas Laurence, } Esq'rs.
Clement Plumsted, Ralph Assheton, }

A Report of the Justices appointed to deliver the Goal of the County of Lancaster was read in these Words:

" To the Honourable Patrick Gordon, Esquire, Lieut. Governor " of Pennsylvania, &c.

" Pursuant to His Majesty's Special Commission of Oyer and " Terminer & General Goal Delivery for the County of Lancaster, " to us directed, We do humbly certify your Honour, that a Court " was held at Lancaster on the third and fourth days of this instant, " May, where Margaret Shitts was indicted & convicted of conceal- " ing the Birth and Burial of a Bastard Child, born of her, till i " was afterwards found out; & Peter Harp was likewise indicted &

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" convicted of aiding & abetting the said Margaret in the Felony " aforesaid, for which they have received Sentence of Death accord- " ing to Law. But it not appearing to us on the Tryal but that the " Child might have been born dead, We beg Leave to recommend " these unhappy Persons to your Honour's Clemency.

" We do likewise Certify, your Honour, that James Hendricks, " Peter Sware & Christian Nisewanger were indicted, and by their " own Confession found guilty of Homicide by Chance medley, and " the Law in those Cases entituling them to His Majesty's Pardon, " We have directed them to make humble Application to your Hon- " our for the same.

" A. HAMILTON,
" JER. LANGHORNE.
" THO. GRÆME.

" Philadia., May 10th, 1732."

A Petition was afterwards read, Signed by Sixty three Germans, humbly recommending to the Governor's Clemency the aforesaid Peter Harp and Margaret Shitts, & His Honour desiring to be herein advised by his Council,

The Board are of Opinion, that in the present Case Mercy should be shown to these unhappy Persons, & it is left to the Governor to direct the properest Manner of doing the same.

E.

At a Council held at Philadelphia, June 22d, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan, Thomas Laurence, } Esquires.
Isaac Norris, Samuel Hasell. }

Present also, by Order of the Governor:

Charles Read, Esquire, Sherif of the City & County of Philadia.

An humble Application having been made to the Court of Quarter Sessions, lately held for the County of Philadelphia, by the Persons under Sentence of Death for Pyracy, now lying in the Goal of this City, setting forth their miserable Condition, and that they are so destitute of all manner of Cloathing that they have not wherewithal to keep themselves clean, or even to cover their Nakedness, & therefore praying that a small Supply of Cloaths may be ordered for them, which Application being by the Justices of the said Court, thought more proper for the Cognizance of the Governor & Council, and the same being now considered, The Board are of Opinion that some Cloathing fitt for the Heat of the Weather be provided for them,

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and that to each there be given a couple of Shirts, a Jackett & two pair of Trowsers of Oznabrigs, and 'tis Recommended to the Sherif to order the same, and to lay an Account thereof before this Board.

E.

At a Council held at Philadelphia, Aug. 9th, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence.
Clement Pumsted, Samuel Hasell. } Esquires.

A Bill sent up from the House was read, Entitutled AN ACT directing the Manner of Payment of Assembly Men's Wages.

It was observed that at the last meeting of the Assembly, a Bill of the like Nature had been sent up, which had been largely spoke to, & a Message touching the same had been sent to the House, which remaining on the Minutes of this Board, It is ordered that the Bill be returned, with a Verbal Message to this Effect:

That tho' the Governor, for the Reasons formerly given, still apprehends some Inconveniences from the discharging the Wages of Assembly Men in the Manner proposed by the Bill, yet since it is to continue for three years only, and the House appears so very desirous of it, he is willing they should experience its Success for this time.

The Report of Samuel Powell & Samuel Levis, in pursuance of an Order of this Board of the 4th of May last, was then read in these Words:

"We, the Subscribers, being appointed by the Honble the Gov-
"ernor in Council, to View the most convenient Place for erecting
"a Bridge over Cobb's Creek, and to compute the Cost thereof, &
"Agree with Workmen for building the same:

"In pursuance of the said Order of Council, we have agreed on
"a place, (as we Judge,) the most proper for that Purpose, being a
"little above the King's Road, which must necessarily be shifted, so
"as to lead across a Corner of Land belonging to Obadiah John-
"son, on the East Side, & through a field of Edmund Williams', on
"the West side of the said Creek, in order to make the Road straît
"to Darbytown, which we pray may be ascertained by Authority,
"the better to enable us to Compute the Cost and agree with Work-
"men for the same. All which is humbly submitted to the Judge-
"ment of the Honble the Governor and Council.

"SAML. POWELL.
"SAML. LEVIS, JUNR."

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An Imperfect Calculation of the Charge was likewise laid before the Board.

The Consideration of which Report & Calculation was deferred till the Commissioners for the Counties of Philadelphia & Chester should be spoke with on the Subject.

E.

At the Courthouse of Philadelphia, Aug. 11th, 1732.

PRESENT:

The Honourable the Governor,

With the Mayor of the City & Other Magistrates.

A List was Presented of the Names of One Hundred and six Palatines, who with their Families, making in all about Two hundred and Seventy nine Persons, were imported here in the Ship Samuel, of London, Hugh Piercy, Master, from Rotterdam, but last from Cowes, as by the Clearance of the Officers of the Customs there. The Master having been examined and these Forreigners having declared their Intentions of settling in this Province, & living peaceably therein, the Persons whose Names are Subjoined took & subscribed the Effect of the Oaths of Allegiance, Supremacy, &c., and likewise did repeat & Sign the Declaration directed by Order of Council of the 21st of Septr., 1727.

Martin Gerhard,
John Bendler,
Johan George Nungeser,
Nicolas Corber,
George Philip Windermuth,
Lorentz Knochel,
Hans Jacob Breckly,
Christopher Breckly,
Mathias Breckly,
Ulrick Breckly,
Samuel Brand,
John Heneberger,
Michael Dierstein,
Henrick Ebby,
Johan Jacob Belerth,
Gottfrid Staal,
Hans George Klingman,
Michael George,
Jacob Oberholzer,
Hans Mosiman,
Peter Wetzstain,
Johan Adam Anderas,
Christain Frants,
Christain Frants, Jun.,
Frederick Keiffer,
Jacob Crist,
Samuel Scheer,
Jacob Fleiser,
Leonhard Deebler,
George Deebler,
Oswald Hosteller,
George Bender,
John Lentz,
John Brechbil,
Jacob Stauffer,
Johan Nicolas Strass,
Hans George Goedke.
Johan Leond. Keffer,
Mardin Weigall,
Fredrick Mulchslager,
Michael Kreider,
Johannes Miller,

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Christian Bendler,
Henrick Ramsaur,
Hans Adam Naig,
Julius Dehr,
Johan George Glasbrenner,
Johan Sebalt Schremer,
Wendal Brechbeil,
Johan George Kleinhans,
Hans Wendell Hoill,
Wilhelm Bergemer,
Christian Bury,
Andreas Muller,
Andreas Stantzenberger,
Johannes Ulrick,
Johan Peter Hailman,
Christian Geeman,
Benedict Geeman,
Johan Leonhard Zeigler,
Johan Fredrick Shitz,
Johan Philip Shitz,
Peter Baltsbach,
Jacob Kneehler,
Martin Biller,
Johan Jacob Erdman,
George Lodwig Hornisch,
Jacob Keiffer,
Casper Wartman,
Jorich Klingman,
Jacob Gutt,
Ulrich Burckholter,
Paulus Boger,
Johan Philip Boger,
E.

Hans Carl Balsner,
Christain Balsner,
Fridrick Aldorffer,
Anastasius Uller,
Johannes Ziger,
Hans Jerig Steyer,
Jerig Heyl,
Peter Stey,
Wendel Berndheisel,
Johan Berndheisel,
Hans Michl. Bumgartner,
John Bumgartner,
Jacob Albrich,
Fredrick Hartman,
Wendal Gerlach,
John Helfurt,
Jacob Weyes,
Ulrich Fisheir,
Henrich Berret,
Peter Shellenburger,
Jacob Gochnauer,
Christian Gochnauer,
Peter Frith,
Andreas Shetler,
Hans Jerig Quickle,
Carl Seyl,
Wendel Werbel,
Philip Werbel,
Augustmus Wendel,
Peter Schneider,
Elias Meyer,
Adam Hillegas.

At a Council held at Philadia., the same day in ye afternoon.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Ralph Asheton, } Esq'rs.
Isaac Norris, Samuel Hasell. }

A Bill sent up from the House was read, Entituled,

A Supplementary ACT for raising County Rates and Levies;

Which being agreed to without Amendment, was ordered to be returned to the House.

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The Governor just receiving by Express, a Letter from the Honourable Thomas Penn, Esquire, one of our Proprietaries, dated this afternoon at Chester, where he had landed, communicated the same to the Board, who expressing their great Satisfaction with so welcome News, the Governor was desired to cause Notice thereof to be given to the House now sitting:

Which being done,

The Governor directed his Secretary to repair immediately to Chester, with his and the Board's Compliments of Congratulation to our Proprietary on his safe Arrival, & to acquaint him that to morrow morning they would in Person, pay their Respects to him at that Place, & wait on him to town.

E.

AUGUST 12th.

The Governor and all the Members of Council who were able to travel, accompanied with a very large Number of Gentlemen, Setting out this morning for Chester, waited on the Honourable the Proprietary and paid him their Compliments. After Dinner the Proprietary with his Company, now grown very numerous, Sett out for Philadelphia, near to which place he was mett by the Mayor, Recorder and Aldermen, with a great Body of People. The Recorder, in the Name of the Mayor & Commonalty of the said City, made an handsome congratulatory Speech, which the Proprietor answered in very obliging Terms, and then proceeding forwards he came to the Governor's House in the Evening.

E.

At a Council held at Philadelphia, Augt. 15th, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris, Ralph Assheton, } Esq'rs.
Thomas Laurence, Samuel Hasell. }

The Speaker with the House of Representatives, waited on the Honourable the Proprietary, and presented him the following Address:

"TO THE HONBLE. THOMAS PENN, Esquire, one of the "Proprietors of the Province of Pennsylvania.

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"THE HUMBLE ADDRESS of the Representatives of the "Freemen of the said Province in General Assembly met:

"May it please our Honourable Proprietor,

"At the same time that we acknowledge the Goodness of divine "Providence in thy Preservation, we do most sincerely congratulate "thee upon thy safe Arrival into the Province of Pennsylvania. "Our long and ardent Desires to see one of our Honourable Pro- "prietors amongst us, are now fulfilled, and it is with Pleasure we "can say, thou art Arrived at a Time when the Government is in "perfect Tranquility, and that there seems to be no Emulation "amongst us, but who shall by a peaceable and dutiful Behaviour, "give the best Proof of the Sense they have of the Blessings de- "rived to us under our late honourable Proprietor, your Father, "whose Goodness to his People deserves ever to be remembred with "Gratitude. Be pleased to accept of our best Wishes for thy "Health and Prosperity, and give us leave to say, as no Discourage- "ments nor any Artifices of ill Men have hitherto been able to deter "the good People of Pennsylvania from a firm Adherence to your "Honourable Family, so we shall always, to the utmost of our "Power, support & maintain that Government under which we do "with all Gratitude, acknowledge we enjoy so many valuable Privi- "leges.

"Sign'd by Order of the House.

"A. HAMILTON, Speaker."

To which the Proprietor gave the following Answer:

"I heartily thank the House for their affectionate Address, & as "I look upon the Interest of Pennsylvania & that of my Family to "be inseparable, you may assure yourselves it shall be my study to "pursue those measures which have rendred the Name and Gov- "ernment of Father so gratefull to the good People of this Pro- "vince."

The Speaker then presented the two following Bills for the Governor's Assent, together with an Order for the remaining part of the Support for the current year, which said Bills, vizt:

AN ACT directing the manner of Payment of Assembly Men's Wages.

A SUPPLEMENTARY ACT to the Act for raising County Rates and Levies being passed into Laws of this Province, & a Warrant issued for affixing the Great Seal thereto, the Governor expressed himself to this Effect:

That he thanked the House for this fresh Instance of their Care of him, and as it could not but give him the greatest Satisfaction to reflect on the Unanimity with which the Affairs of the Assembly had been transacted, so he flattered himself that each Member would in his respective County, use his utmost Endeavours to perpetuate

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the blessings of Peace & mutual Agreement which are now so visible throughout the whole Province.

E.

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MEM.

HIS HONOUR the Lieut. Governor, having received last Fall, from the President of His Majesty's Council of New York, Several Papers, touching the Encroachments of the French on the Lands of that Government, then raising Fortifications in its Neighbourhood, and some Practices that had been used to draw off several Nations of Indians from the English to the French Interest, A Message accompany'd with a handsome Present was sent to the Six Nations, inviting some Chiefs of their several Nations to Philadelphia, to confer fully on the last of these heads, as is sett forth in the foregoing Minutes. And accordingly, several Chiefs arriving here the 18th of this instant. August, they waited on Our Honourable Proprietor & His Honour the Lieut. Governor, & a few days being spent in mutual Civilities, and giving the Indians time to refresh themselves after their long Journey, the Treaty began on the 23d, and

E.

At a Council held at Philadelphia, August 23d, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr. Proprietary.

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan, Isaac Norris, Samuel Preston, Samuel Hasell, Thomas Laurence. } Esq'rs.

PRESENT, ALSO:

Tyoninhogarao, Hetaquantagechty. } Chiefs of the Tsanandowas: with Tooachtachkout, Sodorarangchese, Totienaro, Owastie, Ananda, Taniayuis, Tuwanagra, Tarachkoros & Atondheydhaw, of that Nation.

Tiohogaunda. A Chief of the Cayooges, with Auchsochquaw, Skaieyntis, Tchihachquey, Otangsarraka, of that Nation.

Sagogaliax, Brother to Carandowana, Swataney, als, Shekallamy. } Chiefs of the Oneidas; with Tachnichtorous, & Anunghchrateney, of that Nation.

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THE PROPRIETOR, by Conrad Weyser the Interpreter, spoke to the Indians as follows:

"My Friends & Brethren:

"It is a great Pleasure to me that after so few days, not more than "Six after my Arrival at Philadelphia, from a Voyage of some thou- "sands of Miles over the Great Sea, I had the good Fortune to meet "my Brethren, the Chiefs of the Five Nations, here. I need not "inform you that when my Father, William Penn, was Sent by the "Great King of England to bring over large Numbers of his Peo- "ple to Settle in this Country, he made it his first and principal "Care to convince all the Indians inhabiting it, that he came with "a full Design to be their Friend and Benefactor. He was not only "just to them, in buying and paying for so much of their Lands as "he then wanted, but in all things he treated them with Tenderness "and Affection, he loved them as his Children, he became their "Father. And he entred into the Strictest League of Amity with "them, not only between himself and his People and the Indians "then living, but to continue between his Children & their "Children and their Posterity to all Generations, & for this Purpose "he made with them a Chain of Friendship, to be kept Strong and "bright forever. And when his Affairs in England obliged him to "leave this Country, he gave it strictly in Charge to all his Gov- "ernors and People in Power under him, that they should in the "same manner treat all the Indians as he had done; That they "should be as Fathers to them, & that all his People should live in "perfect Peace and Brotherhood with all the Indians, as if they "were of one Blood and of one Body, without distinction.

"I am but young, and having been bred in England could no "see those things with my own Eyes, but I Constantly had Accounts "in writing of all that was done here, as if I had been myself in "the Place, and by reading these over again I now know them bet- "ter than if I had been present, and were to be informed by Me- "mory only, so that I can fully speak to them.

"Now by these Writings I truly find that my Father's Governors "here, have treated the Indians as my Father had Commanded them. "I find that our People here constantly lived in a true and perfect "Peace, as affectionate Brothers, with the Indians. I find that when "about ten years since, two of our Traders in a Scuffle with one "of your People, who was angry and took up his Gun, gave him "a Blow of which he died, tho' this was done far back in the "Woods, the Governor sent out People to take these two Traders, "& they were brought to Philadelphia, putt in Prison and in Irons "to be tried for their Lives, till your Chiefs at Albany that year "desired earnestly that they might be sett at Liberty & be forgiven. "But some years after, when too foolish People had shott two of "our Delaware Women Indians & a Boy, the Men that did it were

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" tried & hang'd for it, in the same manner as if they had killed " their own Sisters, of the same Mother. These things I suppose " you have been fully informed of, and are Sensible of our Rejoyc- " ing in your Good and our Sympathizing with you in your Losses, " of which some Proofs have been given you.

" And now, since I am here with you my Self, I do assure you " that the Friendship & strict Union which my Father began with " all our Friends, the Indians, and his Governors after him have " cultivated, I shall take Care to improve and strengthen. My " Father made a Chain and Covenants for himself and his Children, " and I his Son, will to the best of my Power make that Chain yet " stronger and brighter on our Parts; that it may continue so to all " Generations. As a Proof of this, we would now enter into a " close Discourse with you on Affairs that nearly concern your own " Peace and Safety; for as true Brothers that are as one Body, & " have the same Interest, we lay to our hearts whatever may affect " and touch you. But this requires Plainness and Freedom; we " should open our Hearts, conceal nothing, but confer together as if " we had but one Mind to inform and direct us in all things. It is " thus with us in relation to you, and we doubt not but it is the same " on your Parts in relation to us; therefore if you please, we would " desire in the first place to know of you how it is with you. How " you stand with your Neighbours, the French, who formerly were " your cruel Enemies but are now at Peace with you. How they " behave to you; As also, how all the other Nations of Indians to " the Northward or Westward of you, are affected towards you? " And when you have considered by yourselves these Propositions, " we will meet again to morrow and enter further into these matters, " and take Counsel together with Open Hearts as true Friends and " Brethren, upon all things relating to you. And when we have fin- " ished this Friendly Treaty, we shall have a Present for you to re- " turn with home, that will confirm all we shall say to you."

After which HETAQUANTAGECHTY, their Speaker, said:

That since their Brother ONAS is now come amongst them, & that they have the Satisfaction of seeing him & the Governor together, they will speak to them both in the manner that is desired. And producing some Strings of Wampum he gave them to the Proprietor, and said that these had been sent from this Government by Skekallamy, with a Message inviting some Chiefs of their Several Nations to come to Philadelphia; that there are now only some Chiefs of three of their Nations present, viz: of the Tsanandowas, Cayoogoes, & Oneidas, but that these are fully impowered and authorized to treat & speak in behalf of them all.

That they are very glad to find their Brethren of the same mind with them; they were desirous to speak of these Subjects that have

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been proposed to them, & shall be very free & open in their Answers, without concealing any thing they know.

The Council then adjourned, and the Indians after a friendly Entertainment departed.

At a Council held at Philadelphia, Augt. 24th, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Thomas Laurence,	
Samuel Preston,	Samuel Hasell.	

The GOVERNOR acquainted the Board that the Indians had desired further time to consider of their Answer. Whereupon the hearing of them was putt off till to morrow.

His Honour then said that he had understood some objections had been made without Doors, to the manner of treating with these Indians, as if the same had been carried on in a less publick manner than had at some times been practised; that therefore he was desirous to know the mind of the Board in this Point. The Consideration whereof being entred into, It was observed that heretofore, Treaties with the Indians had been generally held in the Council Chamber, tho' on some very particular Occasions it had been otherwise; that at this Treaty, to hold all our Conferrences in publick which must relate to our Neighbours, might frustrate the Intention of it, And that 'twas to be apprehended the Indians themselves would decline being so free and Open on these and other matters of Importance, if they should perceive that Numbers of People without Distinction were admitted to hear what passes. These, with several other Reasons, being debated & considered, the Governor proposed and the Board came to the following Resolution.

That the Indians be sounded on this head by the Interpreter, and their Minds known, whether they would chuse a more Publick manner of being heard, & that the Method most agreeable to their Sentiments be followed.

At a Council held at Philadelphia, August 25th, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr. Proprietary.

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Thomas Laurence,	
Samuel Preston,	Ralph Assheton.	

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CONRAD WEYSER the Interpreter, who pursuant to the Resolve of yesterday, was directed to learn the Sentiments of the Indians touching the manner of their being heard, now attending, was called in, & said that they had acquainted him it would be more agreeable to their Inclinations to treat at the Governor's house in the way they had begun, but if they are desired to speak in a more publick manner they will not decline it.

The Indians were then sent for, who being seated, & several Gentlemen of this City admitted to be present, HETAQUANTAGECHTY the Speaker, first repeating the Substance of what the Proprietor had delivered, said:

That the Discourse which they had heard, being Chiefly intended to know of them how they and the French stand affected towards each other, & how the other Nations of Indians around them are inclined towards them, they are now ready to satisfy their Brother Onas, in these particulars, as far as they know:

They say that during the last War, the French frequently cry'd out to them for Peace, but that they never sued to the French for Peace; that the Governor of Canada sent many Messages to them, Earnestly requesting that they might come and treat with him; that at first some of the Canyingoe Nation went to him, & then some of two other Nations, but he refused to treat with them, till at length many of the Tsanandowa's with some of the other Nations went, who told the French Governor that tho' they putt no great Trust in him or his People, for that they had been frequently deceived by them, & that they had Eat their Flesh, yet they, the five Nations, were not afraid to putt themselves as it were in the Power of their Enemies, by coming to hear what they would propose.

That they then told the Governor of Canada, that tho' they had hung on the Kettle yet they would agree to break it, if certain Articles were established between them.

That the first Article they required of the French was, that they should send home such of their Nations as were Prisoners amongst them, and that notwithstanding these Prisoners might be inclineable to stay, yet that they should be obliged to return to the Nation to which they belonged. To which Proposition the French Governor agreed, and gave them a Belt of Wampum in Confirmacon. Upon which they told him they were now to plant a Tree that should take deep Root & extend itself thro' all their Towns, & those of all the Indians in Alliance with them, that having planted the tree they then gave it Leaves, that under the Shadow thereof they & the French might rest Securely & take Council together, that after thus finishing the Tree, they made a deep Hole under it, where they buried their Hatchetts.

That upon each Article the french Governor returned his hearty thanks, and added that for the better Security of this Tree, he would

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add a Top to it, that should reach up to the Heavens, that no Wind or Storm might shake or hurt it, & in Confirmation of his Words gave them a large Belt of Wampum.

That the Governor of Canada then said he would dig a very deep Hole, and therein throw his Hatchetts, that the upper parts should be covered with firm Earth, but the lower part should be Mudd and Water; that the Water might carry away the Hatchetts so that the same might never again be found, or used by him or them, his or their Children or Children's Children, to all Generations; that when the Hole was thus covered up he would build a Town over it, that the Place might never be discovered, but that from thenceforth a lasting Peace should be established between them.

Hetaquantagechty then proceeded & said:

That several of the Outawaes who live on the great Lake to the Westward had been foolish, but that he had sett them to Rights, and convinced them that it is their Interest to trade & deal with the English; that they not only advised but commanded these Indians not to deal for the future with the French, whose Goods are too dear, but that they should goe to the trading House of Oswegoe, where there is great Plenty of all Sorts of Goods, and buy of the English, who would sell cheaper than the French.

That last Fall the French Interpreter, Cahichtodo, came to Ohio River (or Allegeney) to build houses there, & to supply the Indians with Goods, which they no sooner understood than they went out to forbid him, telling him that the Lands on Ohio belonged to the Six Nations; that the French had nothing to do with them, and advised him to go home; but he, not regarding their Advice proceeded, upon which they sent to the French Governor to complain, but their Messengers were not returned when they came from home.

That they Know nothing certainly of what passed between Cahichtodo and the Shawanese at Ohio.

Then presenting some Strings of Wampum,

They said, that since their Brother Onas & their Brother the Governor, had treated and received them so Kindly, & had spoke to them in so friendly a manner, they were highly pleased with the same, and are very willing & desirous that there may be more frequent Opportunities of conferring and discoursing with their Brethren, and that these may be managed by the means of Shekallamy and Conrad Weyser, the Interpreter.

That this is all they have to say at present, but as their Brother Onas is wiser than them, he may have some Questions to propose, to which they are ready to answer very freely & openly.

The Proprietor then told them that their Speech was extreamly agreeable to him and he took it very Kindly; that he would now

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drink a friendly Glass with them, and afterwards would confer with them more closely on several Subjects.

The Speaker presenting the Proprietor with a fine painted Mantle of dressd Otter skins, putt the same over his Shoulders.

August 26th.

At a private Conference with Tyoninhogarao & the other Chiefs who were present, the Proprietor, Governor, & some Members of Council:

They were told we were anxious for the Welfare of their Nation, and desire to know how the several other Nations around them stand affected towards them. And first they were asked how the Twechtwese (called by the French the Miamis,) & themselves, now stood affected to each other?

They said they were at War with those People while they were at War with the French, but after they had made Peace with the French they concluded one also with the Twechtwese; that they are now in the strictest Union with them & are as one People.

Q. What Numbers of Men may the Twechtwese have?

A. They have one town, so large that it is four times as long as one can see at once, and they have two other large Towns, but they know not the Number of their Men; they are a great Nation, and have more People than are in all the City of Philadelphia.

Q. What other Nations are they (the Mingoes) in Friendship with; and what are the Numbers & Strength of such Nations?

A. Their Chief Friends and Allies are the Twechtwey-roona, consisting as has been said of three Towns, the Altoomatte-roona who have also three Towns; the Onichkaryago-roona, who have but one town, and the Seysaghe-roona, (roona signifies a Nation or People) who have fourteen good Towns. Divers other Nations have also sued to them of late to come into Alliance with them, & they should receive them. All these were under the French, & traded only with them, but now they had opened their Eyes and they would trade only with the English, who used them better & sold their Goods cheaper.

Q. The French had buried their Hatchett and told them they would build a Town over it, So that it should never be found to be dug up again; But do they think they would not find that Hatchett again upon any new Quarrell?

A. The French Priests & others that come amongst them, speak nothing but Peace to them; but last Winter Onontejo, (or the french Governor,) sent a Message to the Onondagoes, desiring some of them

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to come and speak with him, & they refused; upon which he sent another Message with a large Belt of Wampum, threatning them if they did not come to him. Hereupon the Onondagoes sent five of their People to the Governor, asking him what he wanted with them, and why he had threatned them, telling him that such Treatment was not agreeable to the Peace and Friendship professed between them: to which the Governor answered, he had not sent any such Message: the Onondagoes then produced the Belt he had sent, & repeated the Words that were delivered with it; but the Governor said they were foolish People that had delivered these Words, they had them not from him.

They were told in Return to this, that the French last year expected to have a War with the English, and probably that Message was then sent, but when Affairs in Europe took another Turn, the French Governor might then think it proper to take back his Words and deny them.

They said it might be so.

Q. But if there should be a War between the English and French, would not those four Nations, vizt: the Twechtwey-roona, &c., joyn with the French again?

A. Those four Nations, they said, had putt their hearts into their, (the Mingoes) hands, and would now do whatever they ordered or directed.

Q. Were not the French angry with those People, for passing them & bringing their Peltry to trade with the English, and did they not endeavour to hinder them?

A. The French are angry, and not only endeavour to stop them, but threaten them; & some of those Nations expect the French will fall upon them; but they regard it not; they find better usage from the English, and will have no more dealings with the French.

They were told that the Shawanese who were Settled to the Southward, being made uneasie by their Neighbours, about Sixty Families of them came up to Conestogoe, about thirty five years since, and desired leave of the Sasquehannah Indians who were planted there, to settle on that River; that those Sasquehannah Indians applied to this Government that they might accordingly Settle, & they would become answerable for their good Behaviour. That our late Proprietor arriving soon after, the Chiefs of the Shawanese & of the Sasquehannahs came to Philadelphia & renewed their Application; that the Proprietor agreed to their Settlement, and the Shawanese thereupon came under the Protection of this Government; that from that time greater Numbers of the same Indians followed them, and Settled on Sasquehannah & Delaware; that as they had joyned themselves to the Sasquehannah Indians who were dependent on the five Nations, they thereby fell also under their Protection. That we had

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held several Treaties with those Shawanese, and from their first coming were accounted and treated as our own Indians, but that some of their Young-men having between four and five years since, committed some Disorders, tho' we had fully made it up with them, yet being afraid of the Six Nations, they had removed backwards to Ohio, and there had lately putt themselves under the Protection of the French, who had received them as their Children. That we had sent a Message to them to return, & to encourage them had laid out a large Tract of Land on the West of the Sasquehannah, round the principal Town where they had been last Settled, and we desired by all means, that they would return thither.

Tyoninhogarao answered that they never intended to hurt the Shawanese; that as they were coming hither they spoke with Kakowatchy, an old Chief of the Shawanese, & told him that he should not look to Ohio, but turn his face to us; that they had also told Sassoonan, the old Chief of the Delaware Indians, that they must all come back from Ohio, for they should not Settle there, upon which he had sent Messengers to his People at Ohio, requiring them to return.

They were told that as they were the Chiefs of all the Northern Indians in these parts, and the Shawanese had been under their Protection, they should oblige them to return.

They asked if we desired them (the Six Nations) to do it of themselves, or to joyn with us.

It was answered that we desired they should joyn with us in engaging them to return. Upon which they craved time to consider of it amongst themselves, & then the Conference ended.

At a Council held at Philadelphia, Aug. 28th, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Clement Plumsted,	Esq'rs.
Isaac Norris,	Ralph Assheton,	
Samuel Preston,	Samuel Hasell.	

The Minutes of the Treaty, with those taken at the private Conference, were read. The Governor then proposed to the Board to consider of the present proper to be given to the Indians, & some Progress being made therein, the further Consideration of the same was refesr'd till the afternoon.

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At a Council then held.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.
And the same Members of Council as in the forenoon.

A Message was brought from the Indians by the Interpreter, that, having considered what had been proposed to them at the private Conference touching the Shawanese, they were ready to answer it, and to enter into further Discourse. Whereupon it was agreed to adjourn the Consideration of the Present and to send for the Indians, who being come and seated:

HETAQUANTEGECHTY repeating what had been proposed to them at the Conference, said:

That they had taken time to consider of their Answer touching the Shawanese, which they would now deliver to their Brother Onas and the Governor.

That they are much indebted to their Brethren for the Goodwill and Affection they show, in advising them to strengthen themselves by Friendship, with their Neighbours of several Nations; that they look upon this Advice as a Sure Token of Brotherly Love towards them.

Then laying down some Strings of Wampum:

They desire we will joyn with them in calling back the Shawanese, which they conceive we can do by preventing our Indian Traders from going to Ohio, for while the Indians are supply'd at that place with such Goods as they want, they will be the more unwilling to remove.

That tho' they may be able to prevail with the Shawanese to return from Ohio, Yet they will not be so capable of affecting it, unless we call back our Traders from thence, and hinder them from furnishing them with Goods and receiving their Peltry there. It will therefore be our own Faults if they do not return.

That they will order Cahichtodo, the french Agent, to remove from Ohio, and doubt not but they shall oblige him to it; they will mention our proposal at the great fire or Council, when they return home, and are sure they shall accomplish our Desire if we will do what is necessary on our part.

They say that it is now many years since they expected the Arrival of one of the Sons of the great William Penn: one year they were told he was coming and came not: it proved the same a second and a third year; but they were greatly rejoyced to hear on their Road hither, that he was certainly come. And it must have hapned, say they, by the Providence of the great Ruler of Heaven and Earth,

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that his comingsfell out at a time which gave them so Early an Opportunity of seeing him; they could gladly wish he may ever remain amongst them, & desire to know how long he intends to Stay in the Country.

The Proprietor answered, He was much obliged to them for the Affection they expressed for him, and joyn'd with them in acknowledging the Hand of that Good Providence which gave him an Opportunity of seeing his Brethren so soon after his Arrival, and that he had no thought of returning.

Then being invited to draw nearer, & enter into more familiar Discourse,

They say, that since they and their Brethren are now mett together, they would willingly ask some Questions of their Brethren, & particularly how the two Great Kings on the other side of the Water, viz: the Kingsof England and France stand affected to each other?

It was answered that they knew those Kings had been at War, and a Peace had been concluded between them which had now lasted about twenty years. & for what we yet know, they are in Friendship with Each other. Great Kings sometimes fall out; they may do so again, but as yet we Know nothing of it.

They reply'd, that they are extremly glad to hear that the two Great Kings are at Peace with Each other; they have frequently wondered why so much bad News should come from Canada, that has often made them very uneasie.

Being called on to draw round the Table, and again invited to a more free & familiar Conversation,

Their Speaker, by the direction of Tyoninhogarao, said, That Onontejo (the Name they give to the Governors of Canada) had sent to speak with their Chiefs, and told them he should have a War with Corlaer, (their Name for the Governors of New York,) and that he desired them to sitt still and look on, that they should see he was the better Man, & would beat Corlaer & his People; that he desiredhis Children the Six Nations, should not concern themselves in it, for why should their Blood be shed in his Quarrell with the English.

The French and English were all from Europe, of the same Kind of Flesh and Blood, & the Indians should leave them to fight it out among themselves; these Nations should see he could himself beat all his Enemies. To which they said their Chiefs had answered to this Purpose: Onontejo you are very proud; in your last War with the English you cried out for Peace, and you had it, but now you are grown proud; you are not wise to make War with Corlear, & to propose such things to us. Corlear is our Brother. He came to us when he was but very little, and a Child, we suckled him at our Breasts; we have nursed him & taken Care of him till he is grown

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up to be a Man; he is our Brother & of the same Blood. He and We have but one Ear to hear with, One Eye to see with and one Mouth to speak with. We will not forsake him, nor see any Man make War with him without assisting: we shall joyn him, and if we fight with you, we may have our Father Onontejo to bury in the Ground; we would not have you force us to this, but be wise & live in Peace.

Being asked when & where this Discourse passed, they said about five years since, at Tiochteage, (their Name for Montreal.) That Onontejo had three several times before, proposed to them to joyn with him against the English, but they would not hear it. That at last he had proposed to them to stand Neuters, as has been mentioned, which they having also refused, he had never spoke to them since.

They were told that it was true the French were very proud, but they had been soundly beaten last War in Europe; the Governor who is now present, had been himself engaged in many great Battells against them; that in one Battle where he was, the French lost forty thousand Men, either Killed or taken Prisoners; they lost many great Towns, and whole Countries were taken from them; yet now, as they are ever proud, they want to be Masters, and because they know the Six Nations are the bravest Indians in all these parts of the World, they would first separate them from their Brethren, the English and Dutch, who have at all times been true Friends to the Indians; have supply'd them with Powder, Lead, Guns, Cloathing, and all Necessaries, when the French on the other hand, made War on them, and endeavoured to destroy them; their old Men know this, & know hat the French would not have left one of their People alive upon the face of the Earth, if they had been strong enough to Master them; but they were not able; they were obliged to cry out for Peace. And now they would deceive them, but they well know they are old Enemies, & the English are their constant Friends.

They said our Words were true and good, they would communicate them to their other Chiefs, and after some more Discourse to the same Purpose, they retired.

—

August 29th.

The Indians, by their Interpreter, having signified their Desire of knowing the Sentiments of the Proprietor and Governor on what had been offered in answer to the Proposition about recalling the Shawanese, that being likewise inclined to send a Message on this head to that Nation, they desired a Belt of Wampum might be given them to send with it, and that they would be pleased to have an Answer

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to their Proposition about Employing Shekallamy and Conrad Weyser in all Messages between them, the Six Nations, and this Government.

Whereupon the Honourable the Proprietor and the Governor, and some Members of Council being mett, the Indians were sent for, who being come, & seated, the Proprietor spoke to them as follows:

"My Brethren:

"We have considered your Answer accompanyed by some Strings "of Wampum, to our Proposition of recalling the Shawanese. We "are much obliged to you for the Readiness you show to joyn with "us in this matter, and we are desirous to have the same putt in "Execution as soon as may be; but we doubt that both you and "we will be obliged to consider that the Indians settled there have "their Corn growing, & it may be very inconvenient to order their "Removal to a place where they will have no Bread, & indeed it "would be cruel. As several Traders likewise, have considerable "parcels of Goods lodged at Ohio, it will be a hardship to oblige "them to remove now when the Winter is coming on. Therefore "we would propose, that till next Spring we should delay calling "back our Traders, & likewise that the Indians, for the aforemen-"tioned Reasons, be suffered to continue there till that time and no "longer. And to confirm these Words, we give one Stroud Match-"coat.

"As to what you said about employing Shekallamy & Conrad "Weyser, on which you gave the first strings of Wampum, We "are very glad you agree with us in the Choice of so good Men to "go between us. We believe them to be very honest, and will with "Chearfulness employ them, and to confirm this we give another "Stroud Matchcoat.

"Since you think fitt to desire some Token from us to accompany "your intended message to the Shawanese, We now give you a large "Belt of Wampum to be delivered to them, together with the Words "that have been spoken, that concern that Nation."

The Belt being accordingly delivered, & the Indians having expressed their Satisfaction with what had been now said unto them, withdrew.

At a Council held at Philadia., Augt. 30th, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lt. Governor.

James Logan,
Isaac Norris,
Samuel Preston,
Thomas Laurence,
Samuel Hasell.
} Esq'rs.

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A Draught of a concluding Speech to the Indians being laid before the Board, was read, and with some small Amendments approved.

The Consideration of the Present to the Indians was resumed, & after some time Spent thereon, a List of Goods proper to be given them was drawn up, and delivered to Mr. Preston, the Provincial Treasurer, to whom it was recommended to provide them with all Dispatch, so that they may be gott ready by to morrow afternoon.

It was then considered what might be proper to be given Shekallamy, for his Trouble in the two Journeys he had performed at the Desire of this Government, with Messages to the Six Nations. And likewise, the Reward to Conrad Weyser, who had accompanied the Indians hither from Tulpahockin, had been very carefull of them, and was extremly Serviceable on this present Treaty. And it being observed that these Men were not only very acceptable to the Indians, as appeared by their late recommendation of them, but likewise seemed to be persons of Truth & Honesty, on which Account it would be necessary to give them all due Encouragement.

It is resolved that the Sum of Eight pounds be paid to Shekallamy, & Twelve pounds to Conrad Weyser, together with the Charges he may have necessarily expended for the Indians in their Journey hither.

At a Council held at Philadelphia, in the Great Meeting house, August 31st, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.
With the Members of Council,

&

A very great Audience, that crowded the House and all its Gallaries.

PRESENT ALSO:

The Chiefs of the Indians, with all their People who accompanied them in their Journey.

THE PROPRIETOR was pleased to direct the Minutes of the 23d, 24th & 25th, to be publickly read, which was done accordingly. The Clerk of the Council, by his Order, then informed the Audience that several Conferences had been held with the Indians, on Matters of Great Importance, but that the Result & Substance of the whole is comprised in the following Articles, by which the present Treaty is to be concluded. And the same being first read and afterwards distinctly interpreted to the Indians, is as follows:

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" Brethren:

" Our Intention in desiring this Visit from the Six Nations, was to " advise with you on such matters as will contribute to your own " Welfare and Security, as well as to the Public Peace of this and " of all these Northern Colonies in general. We heartily thank " you for accepting of our Invitation, in so kindly visiting us, taking " this long Journey to see us, & being so free and open on the Seve- " ral heads we have Spoke to. And now to close the whole Treaty, " we shall recapitulate in Public, the Articles on which we have " agreed.

" In answer to our Proposition, that you should bring over as " many Nations of Indians as you can into your Interest, and make " firm Leagues with them, you have told us that you have already " made such Leagues with the Nations of the Otawese, the Twetch- " twese, Altamootes, Onachkaryagee & Sessagychese, who have " heretofore depended wholly on the French. We are highly pleas- " ed with what you have done herein, & we advise you by all means " & by all Opportunities, further to brighten and strengthen these " valuable Chains, and not only with these Nations, but with all " other Nations that you can possibly gain over to you, whether " they live nearer to you or at a greater Distance. These People " will find it greatly for their own Interest, as it will also be for " your Interest, for by these means you will make yourselves much " greater and Stronger.

" We have desired particularly that you would take the Shawan- " ese into your Protection, make a firm League of Friendship with " them, and engage them to be as one People with yourselves; that " they may be usefull to and assist you, on all Occasions. And the " better to secure them from others that you would joyn with us, as " has been proposed, in removing them and all our Delaware Indi- " ans from Ohio, and bringing them back to their former Habita- " tions, in which you have promised to take propor Measures on your " parts.

" That you should make all the Nations of Indians who joyn with " you, sensible, that when they enter into a League of Friendship " with the Six Nations, they at the same time enter into Friendship " with all the Subjects of the Great King of England that are on " this Side of the great Water, & that thereby they become as one " People.

" Our Advice further is, that you would avoid all needless Wars " with other distant Indians, by whom you may loose your own " People, & perhaps gain but little.

" That you should committ nothing that may justly provoke the " French, yet that you strictly maintain your own Rights; that you " keep your own People as much as possible united amongst your- " selves, all of one Heart and one Mind, without Division, that

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" you may all draw together as in one Chain. That you should " use your utmost Endeavours to bring home all such of your Peo- " ple as live among the French; that so you may all be joyned & " bound together as one very great Man, with one Heart and one " Head, for so you will become much the Stronger.

" That as the Six Nations are in the strictest League with the " great King of England, which they generally once every year re- " new with the Governor of New York, who has it immediately in " Command from the King to take Care of them, they should forbid " all their Warriors, who are often too unruly, to come amongst or " near the English Settlements, & especially that they never on any " Account rob, hurt or molest, any English Subjects whatsoever, " either to the Southward or elsewhere.

" That particularly, they bring not away nor harbour any Negroes; " for those Negroes are the Support & Livelihood of their Masters, " and gett them their Bread. That if any Negroes should run away " from their Masters, and the Warriours or Hunters should find any " of them in the Woods, they should take them up, and delivering " them to the Sherif of some County in the nearest English Govern- " ment, when their Masters come for them they shall be paid what- " ever can be received from their Masters, for the Indian's Service " and Trouble. And that those Warriours have it in Charge not to " disturb or hurt any of our People as they have too often done, by " Killing their Cattle, by which means some poor People have been " almost ruined.

" And in Conclusion, as we have heretofore had several Treaties " of Friendship with the Six Nations, & you have always found us " steady & constant to you in all we have professed, & we have now " upon the Arrival of the Son of their great Friend, William Penn, " who first began the Settlement of this Province, a fuller Opportu- " nity than Ever, of freely opening our Hearts to each other. His " Son, who has just on his Arrival so happily mett you here,) with " the Lieutenant Governor and Council, for all the People of this " Province, not only renew & confirm all former Treaties, but enter " into the most strict & closest League of Friendship, Love & Union " with all the Six Nations at first named, desiring that the same " Friendship may be extended to all the other Nations with whom " you are or shall be in Alliance, of which these Heads that we are " now to mention are the Chief, & ever to be Kept in Remembrance:

" 1st. We shall consider the Six Nations as ourselves, and you " shall consider all our Inhabitants as your own People.

" 2d. You shall not believe any false or idle Rumours concerning " you, but each shall Enquire of the other into the Truth of what " they hear.

" 3d. If you know or learn any thing that may hurt us, you shall

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" carefully inform us of it, and if we hear any thing that may hurt " you, we shall in like manner acquaint you.

" 4th. If any evil minded Person amongst us should hurt any of " your People, they shall be punished as if they had done it to an " English Subject, in which you have known some Instances of our " Care, and if any of your People hurt any of ours, we shall expect " the like Justice.

" 5th. We will constantly keep a Fire for you here at Philadel- " phia, that when any of the Chiefs of your Nations come hither, we " may sitt down together round it, and advise and consult of such " Affairs as may be for the general Interest of both you and us.

" On this Article was delivered a Belt of Wampum.

" 6th. And we now desire, there may be an open Road between " Philadelphia and the Towns of the Six Nations, which we will on " our parts, clear from every Grub, Stump & Log, that it may be " straight, smooth & free for us and you. We shall receive all your " People and your Allies who come by that Road, as our Friends & " Brethren. And as you desire us, Conrad Weyser and Shekalla- " my shall travel that Road between us and you, who will speak our " Minds & your Minds to each other truly & freely.

" On this Article was delivered another Belt of Wampum.

" 7th. This League and Chain of Friendship & Brotherhood, we " now make with all the Six Nations, vizt: the Tsanandowans, On- " andagoes, Ganyingoes, Cayoogoes, Oneidas & Tuscarores, for us " and all our People, and for our Children and Children's Children, " with you for all your Nations, and for your Children & Children's " Children to all Generations, to continue so long as the Heavens, " Sun, Moon, Stars & the Earth shall Endure. And we desire that " the same may at your return be ratified & confirmed at your great " Fire by all your People, and be kept in perpetual Remembrance, " and that all our Indians & all the Nations of Indians in Alliance " with you, may be comprehended within the same.

" And for the Confirmation hereof, we now make you this Pres- " ent:

THEN were delivered the Goods which, by order of the Board were provided by the Treasurer, vizt:

Five whole Pieces & ten Stroud Matchcoats,
One whole Piece & ten Duffells,
Two whole pieces of Blanketting,
Three hundred pounds of Powder,
Five hundred wt. Bulletts,
Ten Guns,
Three hundred Flints,
Three dozen of Shirts,

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Six Coats,
Twelve pair of Shoes & Buckles,
Twelve pair of Stockings,
Ten Kettles,
Ten dozen of Knives,
Five dozen of Scissars,
Five dozen of Tobacco tongs,
Two dozen & one half dozen of Combs,
Three pounds of Vermillion.
One hundred pounds of Tobacco & one Groce of Pipes.

THE PROPRIETOR was pleased to add to the Present, Six fine jappaned & gilt Guns, which he brought over with him, to be delivered one to the Chief of Each of the Six Nations.

The Indians, on receiving the Belts of Wampum & the Present, expressed their Thankfullness by a harmonious Sound peculiar to them, in which those of each Nation now present joyned alternately, & they repeated the same with great Seeming Satisfaction; on receiving the Proprietor's Present of the fine Guns, with which they appeared highly pleased; And returning their thanks to their Brother ONAS, the Governor, & Gentlemen of the Council, for the generous Present made to them, desired time to give an Answer to what had been said.

They then withdrew & the Council adjourned.

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September 2d.

Notice being given to the Proprietor and Governor, that the Indians were ready to meet them, a Council was called & held.

At Philadelphia in the great Meeting house, the same day.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lt. Governor.
With the Members of Council,
And a very large Audience.

The Indians being come and Seated, and John Wray being called upon to assist Conrad Weyser, Hetaquantagechty, the Speaker, addressing himself to Onas, the Proprietor, then to the Governor, & repeating what had been last delivered to them, said they were now come to give their Answer, which by the Interpreters was thus rendred.

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Brethren:

We take your Speech very kindly in every part; we are glad to find you willing to renew and strengthen the valuable Chain whereby we hold one another by the hand, and we return you many thanks for so good an Undertaking.

We also take it no less kindly, that you so heartily offer to keep a Fire for us to sitt down by & take Council together. We thank you, & cheerfully accept of your friendly Offer. We take in very good part your Intention to clear the Road from this Town to the Six Nations, which will contribute a great deal to preserve the Friendship and good understanding that is between you and us. We thank you likewise for this Favour, & we will always have our Eyes fixed upon the Road, that no man may stop it up or incumber it.

Amongst the many good Articles which you have proposed to us, it is a very necessary one that on both Sides we punish evil minded Persons, which we would gladly confirm, but it is very hard for us to govern all our young men; yet we shall carry it to our great Fire & consider it.

Then presenting a small Bundle of drest Skins, he prodeeded and said:

These are the chief Articles which were last spoke to us, and are truly worthy to be carried to our great Fire, which keeps constantly burning all along at Onondagoe. Lett your hearts Brethren, be easy, & be assured that to all you have proposed or desired of us, you will have such an Answer as will be to your good liking.

We take all and every Article of what you have said very well, therefore we will have them all Signed & confirmed at our great Fire. Yet it may so happen that the Summer will be far spent before we bring a full Answer from our great Council; we will take a convenient time to do it, & as soon as may be.

The Proprietor & Governor thanked them for their kind Speech, & told them that they were well pleased with it.

The Speaker added, that having now ended all they have to say, & being about to depart in two days, they must request to be helped on their Journy homewards with Horses, from Tulpahockin to Mechayomy, & on this he presented a Beaver Coat.

They were answered that they should want no Assistance in our Power to give them, and that what they now desired should be ordered before their Departure.

Then again thanking the Proprietor & Governor for their great Kindness, and the large Present they had received, those of each Nation joyned alternately in the same harmonious Sound they used at the former Meeting.

Directions being given for their Entertainment while they remained

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in Town, & for providing some necessaries for their Journey, the Indians taking the Proprietor, Governor, & Members of Council by the hand, departed, & thus the Treaty ended.

E.

At the Courthouse of Philadia., Septr. 11th, 1732.

PRESENT:

The Honourable the Governor.

The Mayor & Recorder of the City, &c.

A List was presented of the Names of Seventy Palatines, who with their families, making in all One hundred & Sixty-eight Persons, were imported here in the Ship Pennsylva. Merchant, John Stedman, Mr., from Retterdam, but last from Plymouth, as by Clearance thence.

The Master having been examined, & these forreigners declaring their Intentions to settle and live peaceably in this Province, the Persons whose Names are subjoyned, took & subscribed the Effect of the Oaths to the Governmt., & the Declaration prescribed by Order of Council Sepr. 21st, 1727.

Jasper Casparing,
Matthias Zollicoffer,
Jacob Gis,
Conraad Frick,
Michael Reyn,
Hendrick Christian,
Johan Jacob Buss,
Michael Noall,
Johan Seleberger,
Philip Frank,
Michael Jerle,
Leonhard Jerle,
Hans Geo. Graaf,
Geo. Michl. Holsteiner,
Hans Jerig Smit,
Jacob Rod,
Hans Jorg Cuntz,
Christopher Stedler,
Johan Georg. Couger,
Simon Carlz,
Matthias Hayser,
Adam Lower,
Hartman Lower,
Simon Peter Holsteiner,
Jacob Hans,
Hans Michl. Moog,
Vandal Fifar,
Joan Nicolas Miller,
Johan Peter Strack,
Benedict Eiselman,
Michael Witmar,
Geo. Mich. Sweynhart,
Hans Mich. Crumurin,
Philip Cavel,
Cornelius Kereim,
Hans Rootclie,
Wolf Copenhaver,
Michael Copenhaver,
Johannes Weaver,
Matthias Menigen,
Conraad Honig,
Johan George Ein,
Daniel Millar,
Johannes Hoorle,
Christian Steinback,
Ulrick Cranklook,
Paulus Linsenbegler,
Hans Jacob Meyer,

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Paulus Reyter
Hendrick Reyter,
Johan George Bootz,
Wilhelm Chriesnerg,
Geo g Mentz,
Hichael Slinager,
Dietrich Ganff,
Bernhart Wolflinger,
Bastian Wagener,
Johannes Fause,
Jerich Palk Graaf,

Jacob Shaad,
Michael Caup,
Georg Fredrick Capp,
Gabriel Konigh,
Hans Leond. Conraad,
Carl Olignar,
Wendel Weinheimer,
Adam Zeyler,
Hans Jorig Mindhard,
Matthias Shaup,
Fredrick Erm.

E.

At the Courthouse aforesaid, Sepr. 19th, 1738.

PRESENT:

The Honourable the Governor.
The Mayor & other Magistrates.

One hundred & twelve Palatines, who with their Families, making in all Three hundred & thirty Persons, were imported in the Ship Johnson, of London, David Crockat, Mr., from Rotterdam, but last from Deal, as by Clearance thence, were in like manner qualified, whose Names are subjoyned.

Hans Stimman,
Johan George Stimman,
Laurens Hartman,
Johannes Erwig,
Paulus Wegerlin,
Hans Jacob Muller,
Johan Georg Muller,
Valentine Beyer,
Henrick Sain,
Conradt Behen,
Jacob Muller,
Johs. Michl. Lochtner,
Hans Francis Yegener,
Thomas Mattern,
Andreas Overbeck,
Hans Jacob Kraus,
Jacob Rousch,
Hans Valent. Renner,
Daniel Schuhl,
Johan Martin Shilling,
Isai Cusehuah,

Johannes Messinger,
Bernhard Pifer,
Mathias Brounwart,
Johan Jacob Rohr,
Christo. Ernhardt,
Conrad Bollon,
Andreas Lohr,
Lorentz Webern,
Tobias Hogle,
Johan Jacob Kuntz,
Christopher Rise,
Fredrick Rise,
Joh. Wilhelm Kollin,
Adam Hiber,
Andreas Hemler,
Johan Conrad Scheymer
Hans Martin Bulinger,
Johan Martin Bulinger,
Hans Philip Timmerman,
Johan Michael Dietur,
Johannes Dietur,

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Nicolas Ewick,
Paulus Wynhamer,
Johannes Bastian,
Lorentz Bastian,
Johannes Bastian,
Johannes Bowman,
Lodwig Friedler,
Anthorn Gilbert,
Johan Balzar Bott,
Johan Philip Yerigh,
Valentine Wild,
Nicolaus Wild,
Fredrick Muller,
Thomas Souder,
Hans Adam Werner,
Johan Valtin Umstadt,
Johannes Soffrenz,
Bartholomius Mortz,
Lorentz Kuntz,
Ludwig Lehman,
Johannes Jorig Paltz,
Nicolaus Eveland,
Johan Martin Bower,
Johannes Everman,
Johannes Albrecht,
Hans Erick Young,
Conraad Sadler,
Johan Adam Leberger,
Christopher Englandt,
Johan Christo. Beyer,
Leonhardt Momma,
Henrick Ostwald,
Leonhard Weyer,
Johannes Smitz,
Laurenz Bader,
Rudolph Bonner,
Henrick Appell,
Johan Fredr. Bomgartner,
Johan Henrick Mull,
Pieter Darbeer,
Pieter Gabell,
Pieter Schuyler,
Philip Shmid,
Johannes Pieter Shmitt,
Johan Jacob Neithelzer,
Conrootz Schywer,
Hans George Frey,
Johan Jacob Frey,
Gerhard Michel. Scholmeyer,
Johan Scholmeyer,
Johannes Fray,
Johannes Hanawer,
Johs. Henrich Masser Schmids,
Hans Mertin Keplinger,
Thomas Kreyl,
Hans Wilhelm Brand,
Christian Schneider,
Conrad Schneider,
Johan Leond. Hermer,
Johan Pieter Keinter
Johan Frantz Rouss,
Johan Paulus Lederer,
Fredrick Meyer,
Johan George Gump,
Johan George Samin,
Johan Adam Kryl,
Johannes Kryl,
Johs. Geo. Obercogler.

E.

At the Courthouse aforesaid, Sepr. 21st, 1732.

PRESENT:

The Honble the Govr., with the Mayor & other Magistrates.

Seventy two Palatines, who with their families, making in all One hundred eighty eight Persons, were imported in the Pink Plaisance, John Paret, Mr, from Rotterdam, but last from Cowes, as by Clearance thence, were in like manner qualified, & their Names are as follows:

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Johs. Philip Muller,
Johannes Muller,
George Baast,
Johannes Klein,
Conrad Scharts,
Daniel Stauffer
Melcher Feeler,
Bastain Rudi,
Christian Huter,
Hans Zimmerman,
Samuel Meyer,
Martin Meyer,
Jacob Scheerer,
Paulus Hertsell,
Hans Georg. Wagener,
Hans Huber,
George Pieter Kunst,
Christian Mertin,
Jacob Besaker,
Felix Fißer,
Rudolph Richart,
Matthias Muller,
Johan Jacob Koog,
Johannes Hunsiner,
Johan Frantz Fuchs,
Tobias Bechtluff,
Johannes Velker,
Carl Wagner,
Baltzar Schonberger,
Jacob Kutz,
Stephen Lang,
Christian Strohm,
Rudolph Christian,
Peter Bricker,
Hans Stamfley,
Ulrick Steily,

E.

Hans Lichtein,
Hans Jacob Keyser,
Paulus Keyser,
Hans Danler,
Matthias Kramer,
Nicolaus Zimmerman,
Ulrick Zimmerman,
Samuel Harndits,
Jacob Bloom,
Hans Sherner,
Andreas Filinger,
Jacob Schweitzer,
Christo. Albrecht Lang,
Johan Wilhelm Staup,
Jurig Bernhardts Mahn,
Frantz Steedel,
Johan Philip Kisner,
Johan Adam Zimmerman,
Hans Ulrich Boucher,
Henrick Hartzell,
Nicolaus Honi,
Andreas Woolf,
Nicolaus Kern,
Hans Melchior Werfle,
Jacob Stoufar,
Johan Landis,
Hans Gesell,
Hans Ulrich Wagener,
Henrich Stertzell,
Hans Leond. Hartsell,
Elias Wagener,
Philip Ott,
Andreas Kramer,
Johan Wolk Bartlett,
Ulrich Ressar,
Michael Sicherner.

At the Courthouse aforesaid, Sepr. 23d, 1732,

PRESENT:

The Hoble the Governor, with Sundry Magistrates.

Fifty seven Palatines, who with their Families, making in all One hundred & forty five Persons, were imported here in the Ship Adventure, Robert Curson, Mr., from Rotterdam, but last from Cowes,

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as by Clearance thence, were in like manner qualified, and their Names are as follows:

Hans Michael Muller,
Michael Brand,
Michael Gross,
Johan George Briner,
Friedrick Dintelsbeck,
Hans George Abel,
Hans Martin Ronger,
Hans Paulus Sontsinger,
David Holsteller,
Johannes Artz,
Jorig Moser,
Baltzar Stuver,
Andreas Killiven,
Hieronimus Glantz,
Andreas Horn,
Matthias Walter,
David Fischer,
Michael Moser,
Simon Meyer,
Lorentz Swiner,
George Onrich,
Conratz Lang,
Michel Putz,
Baltzar Bortener,
Hans Leonhard Kneide,
Johannes Haberling,
Johannes Sholtz,
Johannes Wingleplech,
Henrick Steger,
Matthias Richall,
Henricus Lipps,
Hans Jacob Bauder,
Daniel Colmere,
Matthias Wagener,
Hans Ulrich Hoi,
Bernhard Scheertel,
Michel Koch,
Simon Gallinger,
Johannes Becker,
Paul Lecene,
Jean Lecene,
Andreas Weys,
Jurg Zigell,
Valentine Schyp,
Nicol. Bogart,
Johannes Grairteus,
Conrad Clever,
Nicholaus Bartel,
Tobias Moser,
Andreas Kap,
Leonhard Moser,
Paulus Moser,
Hans Jorig Lichtner,
Hans Melchior Steecher,
Hans Michal Haag,
Georg. Michal Meck,
Hans Peter Stegger.

E.

At the Courthouse aforesaid, Sepr. 25th, 1732.

PRESENT:

The Honourable the Governor, with some of the Magistracy.

One hundred and fifteen Palatines, who with their Families, making in all ——— Persons, were imported here in the Ship Loyal Judith, of London, Robert Turpin, Master, from Rotterdam but last from Cowes, as by Clearance thence, were in like manner qualified, whose Names are as follows:

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Johannes Christian Schultz,
Andreas Sherar,
Johan Adam Sherar,
Johan Michal Ebort,
Jacob Stuli,
Johan Adam Abel,
Johan Jacob Abel,
Matthes Barrestein,
Rudolph Brown,
Matthes Schmidt,
Henrick Pabst,
Johan Georg. Schmidt,
Hans Philip Ranseler,
Jacob Randsailer,
Hans Peter Sihaver,
Christian Rape,
Pieter Kritter,
Jacob Muller,
Henrick Goball,
Johannes Otterbach,
Jurig Burghart,
Hans George Noll,
Peter Rauch,
Friedrick Kihler,
Hans George Wagener,
Michael Pens,
Jacob Kintsell,
Hans Georg. Bellman,
Hans Michl. Reyer,
Johan Carl Reyer,
Johan Martin Reyer,
Christian Eply,
Hans David Eply,
Jacob Lischer,
Lutwig Happell,
Mathias Scheitz,
Conraad Fry,
Philip Leonti Cufi,
Hans Jurig Reser,
Georg. Adam Reser,
Philip Raub,
Michael Raub,
Leonhart Segell,
Bernhard Walter,
Henrick Acker,
Philip Jacob Acker,
Johan Georg. Rich,
Hans Michl. Kreiger,
Wilhelm Berne,
Hans Georg. Kuntz,
Hans David Lentz,
Paulus Miller,
Hieronimus Muller,
Hans Neddtli,
Peter Souder,
Johan Philip Souder,
Samuel Griffi,
Johan Georg. Hoffman,
Martin Heylman,
Johannes Hailman,
Martin Weybrecht,
Johan Georg. Obermu'ler,
George Christopher Lay,
Johan Georg. Fredrick,
Johan George Honig,
Johan Heit Jorgar,
Andreas Schenck,
Georg. Michl. Schmidt,
Jacob Buhlmayer,
Michael Emert,
Philip Criber,
Johan Michl. Hedocker,
Georg. Peter Shultas,
Johan Peter Cuchar,
George Michael Ray,
Johan George Ullerman,
Hans Jacob Stambach,
Johan Friedrich Heyster,
Hans Georg. Abel,
Johan Fredrick Burghart,
Johannes Vogall,
Johannes Pens,
Andreas Colehendurfer,
Hans Adam Gasser,
Johan Hendrick Edler,
Jonas Wolf,
Leonhard Lotz,
Marcus Yung,
Matthias Yung,
Hendrich Lebergher,
Johan Nicolaus Remer,
Johan Baker,
Baltzar Cunkell,
Johan Georg. Furkhill,

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Johannes Pintnagle,
Hans Georg. Roup.
Johannes Shuman,
Johannes Esther,
Hans Martin Bower,
George Muller,
Hans George Triham,
Johannes Schmeltzar,
Johannes Retman,
Johannes Michl. Albert,
E.

Christian Riim,
Fredrich Shafer,
Hans Martin Weybright,
Johannes Reep,
Hans George Borstler,
Casper Kramer,
Conrad Walther,
Johan Geo. Fred. Emert,
Jacob Schratz.

At the Courthouse aforesaid, Sepr. 26th, 1732.

PRESENT:

The Honourable the Governor, with some of the City Magistrates.

Sixty one Palatines, who with their Families, making in all one hundred ninety one Persons, were imported here in the Ship Mary, of London, John Gray, Master, from Rotterdam, but last from Cowes as by Clearance thence, were in like manner qualified, whose Names are subjoyned.

Nicolaus Stahler,
Hans George Froshora,
Michael Abermann,
Hans Jacob Abermann,
Arnold Reitterson,
Conrad Miller,
Dewald Kase,
Christian Kling,
Jacob Stempul,
Nicholaus Stempel,
Johann Lautermilch,
Hans Adam Miller,
Jacob Hauk,
Christo. Keiser,
Reinhold Esel,
Cornelius Teele,
Georg. Philip Behir,
Daniel Billigar,
Albrecht Strous,
Joh. Jacob Driebler,
Conrad Eberman,
Andreas Moser,
Caspar Meyer,

Hans Michl. Walots,
Hans Jacob Wartz,
Jacob Wartz,
Stephen Kennemar,
Johannes Meyser,
Henrich Schusler,
Jerig Schusler,
Hans Jacob Schusler,
Henrich Schusler,
Joh. Fred. Rousenburgen,
Jacob Walter,
Jacob Walter, Junr.,
Hermann Sim,
Simon Mullar,
Wendel Ketterle,
Albrecht Haase,
Rhineholt Yssell,
Erick Marcus Emler,
Carel Eisen,
George Cling,
Johannes Wertz,
Michael Durr,
Hans George Ebener,

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Christian Minier,
Hans Henrich Teany,
Hans Adam Robertus,
Jean Louis Danuy,
Pierre Fleury,
Hans George Kehl,
Martin Ernest,
E.

Hans Geo. Erckenbrecht,
Hans Peter Verley,
George Felte Pickell,
Nicolaus Kent,
Hans Michl. Mantz,
Johannes Pickle,
Christo. Pickle.

At the Courthouse aforesaid, Sepr. 30th, 1732.

PRESENT:

The Honourable the Governor with Several Magistrates.

Fifty five Palatines, who with their families, making in all One hundred & seventy Persons, were imported here in the Ship Dragon, Charles Hargrave, Master, from Rotterdam, but last from Plymouth, as by Clearance thence, were in like manner qualified, & their Names are Subjoyned.

Peter Matern,
Hans Georg. Dirh,
Michael Dirr,
Martin Wytknecht,
Christian Hoffman,
Jacob Lypersberger,
Hans Adam Bender,
Hans Wendel Lahber,
Hans Georg. Road,
Johan Adam Romich,
Johan Fredrick Romich,
Leonhard Schlosser,
Leonhard Muller,
Johan Wilhelm Frank,
Peter Rowdenbash,
Hendrick Rowdenbash,
Hans Jacob Shoork,
Henrich Gruber,
Hans Peter Wolf,
Johannes Herburger,
Johannes Wirtman,
Jacob Klein,
Hendrick Klein,
Johannes Gyger,
Johan Georg. Kroner,
Johan Dietrich Kroner,

Peter Schlosser,
Hans Wilhelm Ziegler,
Johannes Shyroktz,
Johan Nicolaus Muller,
Christian Suber,
Johan Philip Hoffman,
Hans Georg. Hagi,
Simon Beltzner,
Johan Philip Slough,
Andreas Shlowch,
Hans Michl. Rysner,
Hans Rudolph Flig,
Hans Martin Koppler,
Henrick Basler,
Georg. Ludwig Schitz,
Leonhard Pentz,
Michael Graaf,
Tobias Paal,
George Faunix,
Johan Jacob Byerle,
Christopher Besser,
Hans Ulrick Bare,
Hans Georg. Hayl,
George Hayl,
George Sype,
Ludwig Sype,

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Frantz Sype, Hans Georg. Soldner,
Felix Bronner,
E.

September, 1732.

UPON some Advices received, that the Shawanese Indians at Alegheney had been once or twice at Montreal, to visit the French Governor; that some Messages and Presents had passed between them, and that it was to be apprehended the French were Endeavouring to gain them over to their Interest, A Message from this Government was sent to the Chiefs of these Indians, in December last, accompanied with a large Belt of Wampum, and some Rum, desiring them to come to Philadelphia, in order to confer on some Matters of great Importance to themselves, as well as us. Which Message having been delivered this Spring, they returned a friendly answer thereto, and promised to send some of their Chiefs to visit us this Summer.

Accordingly, Opakethwa & Opakeita, two of their Chiefs, with two others, vizt: Quassenungh & Kataweykeita, having come hither on the 28th current, and taken time to refresh themselves after their Journey,

A Council was held at Philadelphia, Septr. 30th, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence,
Samuel Preston, Samuel Hasell. } Esquires.
Clement Plumsted,

PRESENT LIKEWISE:

Opakethwa & Opakeita, the Shawanese Chiefs.

Edmund Cartlidge,
Peter Chartiere, } Interpreters.
John Wray.

Opakethwa producing the Letter sent from the Governor, said that their Chiefs had received it last Spring, from the hands of Edmund Cartlidge, with a Belt of Wampum & Six Gallons of Rum, for which they thanked the Governor; that they had returned an Answer, and desire to know if it was received.

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The Governor then enquired of them the Reason why they had gone so far back as Allegheney? They answered, that formerly they lived at Patowmack, where their King dyed; that having lost him, they Knew not what to do; that they then took their Wives & Children and went over the Mountains, (meaning to Allegheney.) to live.

It was told them, that as they had entred into a League of friendship with this Government, they should have advised with us as their Friends and Brethren, before they removed; and then 'twas asked them, why they had been so frequently at Canada of late? and what was the Reason of their going thither?

They answered. that they no sooner received the Message from this Government but they resolved to come hither, and impart to their Brethren what had passed between the French and them.

Opakethwa then proceeded and said, that when they went over the Hills they mett with a French Trader, who told them that the French Governor, their father, desired Earnestly to see them at Montreal; that accordingly they went to see him, but had no Intention to leave their Brethren the English, or turn their Backs upon them.

That when they went to Montreal, the Governor there told them that he had no other Design in sending for them than to see them, and take them by the hand; that he had likewise sent for the Six Nations and the Indians of Conestogoe, to come & visit him. That the French Governor said he saw them from affar off, and their Brethren the English trading amongst them, and desired they would love all the Christians for they were good Men; that the Goods which the English brought amongst them were good in their Kind, and necessary for them, and to bind his Words gave them a Belt of Wampum; that they had sometime before received Powder & Lead from him, and that they had lately carried him a Present of Skins in Return.

He added, that the French Governor told them that the English were much better furnished with Cloathing, and other things necessary for the Indians, than his People were; that in time the French and English Traders would meet at Allegheney, exchange Goods, and trade together. He then desired the Indians to have a good heart. and love all their Brethren the English; that he would also take Care that all the French Indians should love the English, and said that some of his People would come to Allegheney in the Fall, to visit them.

Being asked whether they Know that the French intended to build some Houses at Allegheny, they answer that they know nothing of the matter.

They were then acquainted that a great Treaty had lately been

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held here with the Six Nations, in which it was proposed to unite all the Indians in the English Interest together; that a considerable Number of their Nation, about thirty four years since, (as the Govr. had told them in his Letter,) coming with their Wives & Families to Settle at Conestogoe, they then entred into a League of Friendship with this Government; first with Coll. Markham, the then Lieutenant Governor, and in about three years after, with William Penn himself, who was under the Great King of England as a Father to all the Indians; that from that time the Shawanese became as Brothers to the English, as all our other Indians are; and so in all Treaties with our Indians since the first coming of the Shawanese, we have always accounted them, and from time to time they had constantly, as there was Occasion, renewed and confirmed the League or Chain of Friendship with us. but now they seemed to be applying to others to make new friendships with them.

They said, that having received the Governor's Letter calling them hither, they came as Friends and Brethren; but they appeared concerned, and said they did not know any thing they had done amiss on their parts, and did not think they were sent for to be found fault with; they thought they were coming to their friends.

They were told they thought right, we are their true friends, and we look upon them to be Ours. We only put them in mind of the old League and friendship subsisting between them and Us. They are to be commended for living in Peace with all their Neighbours, and they ought to be civil to the French while the French are civil to them, but they must not prefer any other People to the English; they have made Leagues with us; we are their true friends. We take their present Visit very kindly, and they shall find we do; and are pleased with it; but they must like true friends, be open and free with us; true friendship requires this.

They appeared well pleased, and Evening comingon, they were dismissed till another Meeting.

At a Council, October 5th, 1732.

PRESENT:

The Honourable Proprietor, with some Members of Council.

The Elections, and the Governor's Journey to Newtown, in Maryland, with the other Commissioners appointed for running the Division Lines of the Province, &c., having delayed the prosecution of the Treaty with the Shawanese Chiefs, began the 30th Ultimo, they now met again, and were told as was hinted before to them:

That divers Chiefs of the five Nations having lately visited this place, and concluded a Solemn Treaty with us, It was proposed that

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all the Indians in Amity with the English should enter into one League, and become United as one People: and particularly, that the Shawanese should be united to the Six Nations, and that this had been largely discoursed with those Nations; they said the Mingoes had not said any thing of it to them.

They were put again in mind of the League they had entred into with this Government, that they had always been kindly treated, and we could not but think it strange they should retire and leave us, without first acquainting us with it. As William Penn, who was the Father of this Country, was always a Father to all the Indians, so were his Governors. Whenever we speak to the Indians, We speak to them as to our Brothers, with open hearts. Their father William Penn is now in his grave, for he was very Ancient, but his Son is here; he is now with them, and will treat all the Indians in the same manner his father always did.

He is not pleased they should retire such a distance from us, he desires they may live near us; or if their Hunters must go further abroad for their Game, yet their Wives and Children should remain with us. That they might not be straitned for Want of Lands, there was a large Tract laid out for them about their Towa, near Pextan, which should always be kept for them and their Children. for all time to come, or so long as any of them continued to live with us. They see by this we are their true friends, and as Brothers they are desired to open their hearts and speak freely.

They said when they heard all we had to say to them, they would answer fully, and the substance of what had been said to them being repeated, they replied:

That they had heard of the Land that was laid out for them; that their Young men had gone over the Mountains to hunt where they might have more Game, that when that was over they would return and see the Land; that their Families and the rest of them, being afraid of being surprized by their Enemies, the Tootelaes, had retired where they might live in greater Safety.

They were told that our Traders might leave off carrying out Goods to such a distance, and they well knew the French could not supply them with Goods, either so valuable in their Kind, or at such cheap rates. To which they answered, that they were sensible of this, but they had horses of their own, and could bring down their Skins to the Trader, or to this town, if there were occasion.

They then presented a Belt of Wampum, and said they acknowledged the Receipt of the Governor's Letter, and the Belt, with the Rum sent them; that they were pleased with the Message, and being desired to come and visit us they were come accordingly; they were glad to see William Penn's Son, & pleased with the Words they had heard, and will report them to their People; they say they have had

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a very hard Summer, and are poor, but had brought him a Skin to to make a pair of Gloves.

The Proprietor said he was glad of this Opportunity of taking them by the hand, and desired them to speak freely on the heads that had been mentioned to them.

They answered, that the place where they are now Settled Suits them much better than to live nearer; that they thought they did a Service to this Province, in getting Skins for it in a place so far remote; that they can live much better there than they possibly can any where on Sasquehannah; that they are pleased however with the Land laid out for them, and desire it may be secured to them.

They were told that some Cloaths should be provided for them, with a present for them to carry to their People. And when these were ready, the Proprietor would speak further to them about the Land, upon which the Council, having ordered Cloaths & a present, rose.

—

October the 6th.

Three of the four Shawanese Indians meeting the Proprietor & some of the Council, presented a bundle of Skins, consisting of 82 small Drest Deer Skins, wt. 26lb., and 2 small Elks.

They were told there were Coats making for them, and other Cloaths, with a Present, was providing; the Proprietor presented their Chief with a very fine gilt Gun, as a mark of his respect for their Nation, and told them he would send a Surveyor to run Lines about the Land intended for them, and that none but themselves & Peter Chartiere should be allowed to live on it. That their Cloaths were not yet finished, but they should be ready in the Evening.

—

October the 7th.

One of the four Shawanese Indians, a young Man named Quassenung, Son of their old King, Kakowatchy, being 3 or 4 days since taken with the small Pox, tho' not one Person in the City was then known to have that Distemper, Opakethwa their Speaker, agreed to stay in Town to take care of him: the other three received each of them a blue Cloth Coat lined with Salloon, a Shirt, a Hatt, a pair of Stockings, Shoes and buckles, the like was also given for the Sick young man, to be delivered to him. And for a present to their Nation was ordered and delivered, a piece of blue Strouds, four blankets, one hundred weight of Powder, four hundred weight Bullets,

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en gallons of Rum, & two dozen Knives. And to John Wray the Interpreter, who had come down with them, five pounds.

Their charges in town were also ordered to be paid, and what should further arise on account of the Sick Young Man, and Opakethwa, who staid to take care of him.

N. B. Quassenunugh recovered from the small Pox, but Opakethwa who tended him, was taken most violently with the same Distemper, and dying on the 26th, was next day handsomely buried. Quassenunugh was seized with violent Pains, and languished till the 16th of January; he then dyed, and was likewise the next day buried in a handsome manner.

E

At a Council held at Philadelphia, Septr. 31st, 1732.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary,
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence, Samuel Preston, Samuel Hasell. Clement Plumsted, } Esquires.

The Governor acquainted the Board that the Differences between our Honourable Proprietary Family and the Lord Baltimore, touching the disputed Boundaries of their respective Governments, being now happily accommodated, an Agreement had been concluded between them, which, by Direction of the Proprietor, he was now to lay before the Board. That it had been as yet only communicated to the Commissioners, who by a certain Instrument, are appointed on the part of Pennsylvania to execute that Agreement, by running the Lines, &c , but as these Gentlemen were in a few days to sett out to meet Mr. Ogle, Governor of Maryland, and those named on the part of that Government, The Proprietor is desirous of imparting the said Agreement to the Council, seeing it may not be improper to take Notice to this Board, of the Steps taken in a Matter of so great & publick Importance.

Which Agreement, with the Instrument appointing the Commissioners, being read, all the Members expressed their hearty Satisfaction therewith, and the pleasure it gave them to find that the Differences and Uneasinesses which had formerly so much disquieted this Government, were in so fair a way of being fully settled, and as the Execution of the Agreement was entrusted to Persons of such good Abilities, it was to be hoped the same would be speedily brought to a happy Issue.

E.

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At a Council held at Philadelphia October 3d, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Laurence.
Clement Plumsted, Samuel Hasell. } Esquires.
Henry Brooke,

Returns from the Counties of Philadelphia and Chester, of the Elections of Sheriffs & Coroners for the year ensuing, being laid before the Board, the following Persons were nominated to these Offices, to witt:

For the City and County of Philadelphia. Septimus Robinson and Robert Ellis being returned for Sheriffs, & Owen Owen and John Roberts for Coroners, Septimus Robinson is appointed Sherif, and Owen Owen Coroner.

For the County of Chester. John Parry & Wm. Smith being returned for Sheriffs, & Anthony Shaw and John Wharton for Coroners, John Parry is appointed Sherif & Anthony Shaw Coroner.

And Commissions are ordered to be issued to them, on their giving Security as the Law directs. The Governor then notified to the Board, that pursuant to an Appointment made between the Lieutenant Governor of Maryland and him, for the meeting of the Commissioners named on the part of that Province and Pennsylvania, for the Execution of the late Agreement concluded between the Proprietaries of each, he was to set out to morrow for Newtown, in Maryland, and recommended to the Board the Care of the Publick in his Absence.

His Honour then observing that the Returns of the Elections in Bucks & Lancaster Counties had not yet been made, desired that the first named in each might be appointed to the Offices of Sheriff & Coroner, unless some good Cause appeared to the Contrary, and said he had ordered blank Commissions for that purpose to be left with Mr. Logan.

The Board having wished the Governor Success in his Journey and a safe Return, the Council broke up.

October 5th. In the Governor's Absence.

Returns from the two last mentioned Counties being received, the Appointments were thus made:

For the County of Bucks. Isaac Pennington & John Hart being returned for Sheriffs, & William Atkinson & Joseph Wildman for Coroners, Isaac Pennington was appointed Sherif & William Atkinson Coroner.

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For the County of Lancaster. Robert Buchannan and John Galbraith being returned for Sheriffs, & Joshua Lowe & Samuel Bethel for Coroners, Robert Buchannan is appointed Sherif & Joshua Lowe Coroner.

October 5th, at Newcastle.

Returns being brought the Governor, of the Elections in the Counties of Newcastle, Kent & Sussex, the following Persons were by him appointed to the Offices of Sherif & Coroner:

For the County of Newcastle. John Gooding and Henry Newton being returned for Sheriffs, and Robert Robertson & Henry Gonne for Coroners, John Gooding is appointed Sherif & Henry Gonne Coroner.

For the County of Kent. John Hall & Daniel Rodeney being returned for Sheriffs, and Nicholas Lockerman and John Wells for Coroners, John Hall is appointed Sherif & Nicholas Lockerman Coroner.

For the County of Sussex. Simon Kollock & ——— being returned for Sheriffs, and Joshua Fisher & ——— for Coroners, Simon Kollock is appointed Sherif and Joshua Fisher Coroner.

E.

N. B. This & the preceeding Minute, were by mistake Entered before that of the 5th of October.

At the Courtho. of Philadelphia, Octor. 11th, 1732.

PRESENT:

The Honble PAT. GORDON, Esqr., Lt. Govr.

With Severals of the City Magistrates.

Forty two Palatines, who with their families, making in all —— Persons, were imported here in the Ship Pleasant, James Morris, Master, from Rotterdam, but last from Deal, as by Clearance thence, were this day qualified as usual, & their Names are Subjoyned:

Balzar Spingler,	George Hans Peters,
Henrich Spingler,	Georg. Spingler,
Johannes Kellar,	Jurg. Kullar,
Johan Georg. Seuck,	Jacob Friedriech Klim,
Georg. Bear,	Henricus Retz,
Frederick Baasler,	Jacob Podom,
Ulrich Bodman,	Johan Jacob Timmanous,
Ulrich Peters,	Isaac Raudebush,

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Matthias Jurian,
Henrich Eckert,
Hans Georg. Salk,
Philip Schellig,
Conrats Kolb,
Conrats Glassbrenner,
Jacob Hornberger,
Hans Peter Sigmund,
Hans Bern Kuntzer,
Fulk Mullar,
Hans Philip Kresler,
Matthias Ambrosi,
Johannes Gumbor,
Friedrich Notz,
Hans Adam Schilling,
Johannes Moak,
Ulrich Baasler,
Joh. Casper Winterott,
Georg. Philip Snatherly,
Hans Michl. Snatherly,
Georg. Mess,
Valtin Mullar,
Hans Michel Hoffman,
Johannes Tablemeyer,
Conraad Roup,
Georg. Michel Favian.

E.

At a Council held at Philadelphia, October 16th, 1732.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston, Thomas Laurence,
Clement Plumsted, Samuel Hasell. } Esquires.

The Representatives of this Province, elected the 2d instant, (the 1st falling on a Sunday,) having Mett in Assembly on the 14th and proceeded to the Choice of a Speaker, notified the same by a Message to the Governor, who, having appointed this forenoon for receiving them with their Speaker, they attended accordingly.

And Andrew Hamilton, Esqr, having acquainted the Governor that the Representatives had been pleased to chuse him to be their Speaker, His Honour declared his Approbation of their Choice; Whereupon the Speaker made the usual Requests of Freedom of Speech, Access to the Governor's Person, Protection from Arrests during the accustomed time of Privilege, &c., all which His Honour having assured them he would inviolably maintain as far as lay in his Power, they withdrew.

E.

At the Court House of Philadelphia, October 17th, 1732.

PRESENT:

The Honourable the Lieutenant Governor.

With the Mayor of the City, & other Magistrates.

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Sixty one Palatines, who with their Families, making in all One hundred Sixty nine Persons, were imported here in the Pink John & William of Sunderland, Constable Tymperton, Master, from Rotterdam, but last from Dover, as by Clearance thence, were this day qualified as usual, and their Names follow:

Bernhard Wymer,
Moritz Laurence,
C. Wolger,
Georg. Albrecht,
Jacob Brechbiel,
Laurenz Kieffer,
Stephen Matthes,
Bartol Moll,
Hans Georg. Martin,
Hans Erhart Vosselman,
Johannes Emich,
Felter Scheadecker,
Johannes Deynen,
Pieter Haywigh,
Michal Weysel,
Friedrich Wyssell,
Lutwig Joh. Melchionar,
Johannes Yeigie,
Joh. Phillipus Reinhart,
Hans Peter Brechbill,
Bendu Brechbill,
Hans Brechbill,
Hans Georg. Sprecher,
Johannes Nagel,
Peter Smidt,
Johannes Housam,
Joh. Michal Housman,
Joh. Nicolaus Pauschon,
Balzar Gerloch,
Christian Low,
Conrad Low,
Ludwig Hoogel,
Jacob Weyber,
Johannes Schook,
Hans Jacob Reyl,
Georg. Adam Stiess,
Abraham Dubo,
Hans Georg. Rohrbach,
Joh. Nicolaus Schmidt,
Adam Wilt,
Antoni Albrecht,
Hans Philip Kleas,
Conrad Getz,
Nicolaus Kooger,
Jacob Kooger,
Jac. Matthias Wenser,
Sebastian Trockenmiller,
Gideon Hoffer,
Hans Reyl,
Joh. Shuffeln,
Johan Paul Derst,
Henrich Getz,
Matthias Rubichon,
Johannes Vogler,
Jacob Henrich,
Philip Melchior Moyer,
Johan Georg. Wahnsidel,
Johan Pieter Apsell,
Georg. Wypert,
Johan Jacob Sheare.

At a Council held at Philadelphia, January 9th, 1732–3.

PRESENT:

The Honourable the Proprietary.
The Lieutenant Governor.
James Logan,
Isaac Norris,
Samuel Preston,
Henry Brooke,
Thomas Laurence,
Ralph Assheton,
Samuel Hasell,
Clement Plumsted,
} Esquires.

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The Governor acquainted the Board, that some days since he had received a Letter from the Lord Baltimore, complaining of a Riot committed within his Lordships Province of Maryland, by People of Pennsylvania, but the Circumstances not being mentioned, or any Information given from whence the Matter might be clearly understood, he had thought proper in a few Lines, to acknowlege the Receipt of his Lordships Letter, and to refer giving a particular Answer till a due Enquiry should be made into the Affair.

That having gather'd from the Precept enclosed in his Lordship's Letter, that the Persons complained of were Inhabitants of Lancaster County, he had dispatched an Express to the Justices there, requiring them to furnish him with an exact Account of the whole; that the Messenger being now returned, had brought a Letter from the Justices together with several Affidavits, all of which he thought highly proper now to lay before the Board, whom he had called together to advise with on the Answer to be made to Lord Baltimore.

The Letter from his Lordship being read is in these Words:

" Annapolis, Decr. ye 15th, 1732.

" Sir :

" By the enclosed precept, founded upon Informations given upon " Oath to a Magistrate here, you will see that a most outrageous " Riot hath lately been committed in my Province, by a great Num- " ber of People calling themselves Pennsylvanians.

" It appears by the same Information that some of your Magis- " trates, instead of preventing or discourageing these Violences, " Countenance and abet the Authors of them; whether with or with- " out the Approbation of your Government, you best know.

" For my own part I think myself in Honour and Justice obliged, " and I am determined to protect such of His Majesty's Subjects " who are my Tenants, in all their Rights; and therefore, to the " End the Persons complained of may be punished, if upon a fair " tryal they shall be found guilty, I desire that they, or such of them " as can be found in your Province, may be sent without loss of " time into this, as the Only and proper place, where the fact with " which they are charged is Cognizable, and where my Officers will be " ready to receive them, particularly the Sheriffs and Justices of my " Counties of Baltimore and Cecil.

" I also desire that such of your Magistrates as shall appear to " have Encouraged the commission of these or any other Violences " in my Province, by the People of Pennsylvania, may be punished " for their abuse of Authority; and that you'l favour me with a " Categorical answer to these my just demands, by this bearer.

" Your Humble Servt.

" BALTIMORE.

" Addressed thus,

" To His Excellency Patrick Gordon, Esqr., at Philadelphia."

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The Precept referred to in the foregoing Letter, follows in these Words:

" Maryland, ss:

" WHEREAS Charles Jones, James Patison, Alexr. McKey, " John Capper, John Hart, John Pattan, James Pattan, James Pati- " son, Junr., John Trotter and William Macmanac being, or pretend- " ing themselves to be Inhabitants of Pennsylvania, together with " several other Persons unknown, are Charged upon the Oath of " John Lowe of Baltimore County, Planter, taken before me, Robert " Gordon, Esqr., one of his Lordship's Justices of the Provincial " Court of Maryland, with having Assembled themselves, Armed " with Weapons, Offensive and Defensive, in a Riotous manner, on " the Plantation of him the said John Lowe, in the said County, in " the Night of the Twenty sixth of November last, and Violently " and Riotously Assaulting and beating the said John Lowe, his " Wife and Family, and Imprisoning the said John Lowe & his two " Sons, to the great Terror and Damage of the said John Lowe and " his Family, against his Lordship's Peace, Good rule and Govern- " ment:

" THESE are therefore in his Lordship's Name, to Will and re- " quire all Sheriffs, Coroners, Constables, and other his Lordship's " Officers, to make Diligent Search and Enquiry within their res- " pective Counties and precincts, for the said Charles Jones, James " Patison, Alexander McKey, John Capper, John Hart, John Pattan, " James Pattan, James Pattison, Junr., John Trotter and William Mac- " manac, and all other Persons concerned in the said Riot, and to ap- " prehend them or any of them who shall be found within this Pro- " vince, and to carry them or any of them before some one of his " Lordship's Justices of the Provincial Court, or some one Justice " of the Peace of the County where they or any of them shall be found, " in Order to be dealt with according to Law; hereof the said Officers " are not to fail at their peril. Given under my hand and seal, at An- " napolis, this Fourteenth day of December, in the Eighteenth year of " his Lordship's Dominion, Annoq Domini 1732."

The Governor's Answer to his Lordship's said Letter, is as follows:

" Philadelphia, Decemr. 23d, 1732.

" My Lord:

" It gives me no small Concern, that the first Letter I have the " Honour to receive from your Lordship, should be on so disagree- " able a Subject as a Complaint against any of His Majesty's Sub- " jects under my Government, for Disorders committed in the Pro- " vince of Maryland; and I must assure your Lordship you have " been exceedingly misinformed if you can imagine it possible that " I should countenance an Outrage of such a Sort as your Letter " seems to represent it, for I believe I shall be fully Capable to satisfy

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" your Lordship that my Conduct in relation to your Province, since " I had the Honour to serve the Proprietors of Pennsylvania as " their Lieutenant Governor, has demonstrated a very different Dis " position.

" To the matter of the Complaint I am very much a Stranger, and " as your Lordship was not pleased to transmitt Copies of the In- " formation, or any thing else that might sufficiently enable me to " judge of it more clearly, I shall therefore immediately, notwith- " standing the Distance and Rigour of the Season, dispatch a Mes- " sage to the Magistrates of the County of Lancaster requiring them " without delay to make a full Enquiry, and furnish me with every " thing for the perfect Understanding the State and Circumstances of " the whole Affair; and I have no Reason, from the past Conduct of " those Gentlemen, to believe but that it will be found much different " from what has been represented to your Lordship. These when " received shall be forthwith communicated, and then I may have " Occasion to make some further Observations on your Lordship's " Letter, and the Nature of these unhappy Disputes which, notwith- " standing all possible Caution to the contrary, may arise for want of " the Division Lines being actually run, whereby every Inhabitant " might distinctly know what Jurisdiction he lives under.

" This being all I am at present able to say on the Subject till the " return of my Messenger, I am, My Lord,

" Your Lordship's
" Very humble Servant,
" P. GORDON.

Addressed thus,

" To the Right Honourable
" The Lord Baltimore, Proprietor of Maryland."

Then was read the Letter of John Wright & Samuel Blunston, Esqrs., to the Governor, in the following Words:

" May it please the Governor:

" Being informed by the Governor's Letter to Us, that the Execu- " tion of a Warrant directed to Charles Jones, Constable of Hemp- " field, for apprehending two Sons of John Lowe, of this County, " pretending themselves Inhabitants of Maryland, hath been repre- " sented to Lord Baltimore as a violent and riotous Assault commit- " ted against his Lordship's Peace, good Rule and Government.

" We have therefore, made strict Enquiry into the Manner of the " Execution thereof, which, together with the Cause of Issuing the " said Warrant, and all other things relating thereunto, are herewith " faithfully transmitted.

" In the year 1729, when the Governor was pleased to issue an " Order to divide this part of the Province from Chester County, and

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" for Erecting the same into a distinct County, and appointed Magis-
" trates and Officers for the Conservation of the Peace, the more
" easie Administration of Justice and better securing the sober and
" quiet Inhabitants in those remote Parts of the Province, from the
" Thefts and Abuses committed by idle and dissolute Persons who
" resorted hither to Keep out of the hands of Justice. the Southern
" Boundarys of the said County were by the said Order, to be Octo-
" raro Creek and the Province of Maryland, and including the In-
" habitants, to lye open to the Westward. But as the Line between
" the two Provinces was not Known, no Authority was claimed over
" those few Families settled to the Northward of Octoraro, by or under
" Pretence of Maryland Rights, but they remained (by us) undis
" turbed, tho' many Inhabitants of Pennsylvania lived some Miles
" to the Southward of them.

" At that time there were no English Inhabitants on the West
" Side of Sasquehannah River in these parts, for about two
" years before Edward Parnel and several other Familys who
" were settled on the West side of the River, near the same, at a
" place called (by the Indians) Conoehela, (who for several years
" had paid uninterrupted acknowledgement to this Province) were at
" the Request of the Conestogoe Indians, removed by the Governor's
" Order from the said Place; the Indians insisting on the same to
" lye vacant for their Convenience, as their Right by Treaties with
" this Government formerly made. But about two years since,
" Thomas Cressop and some other People of loose Morals and tur-
" bulent Spirits, came and disturbed the Indians, our Friends and Al-
" lies, who were peaceably settled on those Lands from whence the
" said Parnel and others had been removed, burnt their Cabbins and
" destroyed their Goods, and with much threatning & ill usage drove
" them away, and by pretending to be under Maryland Government.
" (As they were got far from their Laws sought to Evade ours.)
" But as that Land had been formerly settled by the good People of
" this Province, and none till Cressop and his Company had settled
" by a Maryland Claim so far to the Northward by near thirty
" Miles, We concluded them to be Men of desperate Fortunes, who
" would rather defend their Actions by Force than trust them to the
" Law, and that Opinion hath since been corroborated by others fol-
" lowing their Example and settling on that Side the River, who,
" when charged with Offences or Debt, would screen themselves un-
" der the same pretence, yet those Men would fly to our Laws for
" Redress against their own Party, and they who had fled from their
" Creditors and the Laws of Maryland into this Province, when such
" Creditors pursued them hither, have refused Obedience to our Of-
" ficers, and cryed Maryland. Thus they proceeded to play Booty,
" disturbing the Peace of the Government; carrying People out of
" the Province by Violence; taking away the Guns from our Friends,
" the Indians; tying and making them Prisoners without any Offence

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" given; & threatning all who shou'd oppose them, and by under " hand and unfair Practices, Endeavouring to alienate the Minds of " the Inhabitants of this Province, and draw them from Obedience " to their Party. Their Insolence increasing, they Killed the Horses " of such of our People whose trade with the Indians made it ne- " cessary to keep them on that side of the River, for carrying their " Goods and Skins; assaulted those who were sent to look after " them, and threatned them highly if they should come there again.

" This Usage obliged James Patterson to apply to Us for a War- " rant to apprehend and bind to the Peace two young Men, who " had been the most active. We, well knowing that according to " the Agreement lately made between our Proprietors and Lord Bal- " timore, and by the explanatory Maps thereon struck, those Settle- " ments were above twenty Miles to the Northward of the place of " the Intended Line, Therefore believed it our Duty as Conserva- " tors of the Peace, to use legal Authority for the Security of His " Majesty's Subjects, and curbing the Insolence of lawless & unruly " Offenders, and accordingly issued a Warrant to apprehend Daniel " & William Lowe. The manner of Executing thereof will best " appear by the Affidavits herewith sent.

" When they were brought before us they were used with all the " Lenity the Case would bear, & dismissed on the Security of their " own Friends for their future good Behaviour & appearance at " our next Court of General Quarter Sessions.

" Could We have supposed such a Procedure would have given " the least Offence to Lord Baltimore, or that he would have looked " upon those Persons as his Subjects, & under his Protection, who " in his own Opinion (according to the Testimony of Thomas Cres- " sop) live beyond the bound of this Dominion, we should not have " acted herein, but have represented the Case to the Governor, & " waited the Direction of his wiser Judgement, to whose just Cen- " sure we submit, and conclude with all due Regard.

" The Governor's most assured Friends,

" JNO. WRIGHT,

" SA. BLUNSTON.

" Hempfield, 30th Decemr., 1732."

Addressed thus:

" To the Honble Patrick Gordon, Esqr.

" Governor of Pennsylvania.

After which were read likewise, the Affidavits of James Hendricks, William McMannack, John Capper, John Brubaker, Charles Jones, John Patten, Alexander McKey, Joshua Minshal, Francis Ward, Rebecca Hendricks, Joshua Lowe & Tobias Hendricks, setting forth: That James Patterson being informed one or more of his Horses were killed near John Lowe's Plantation, and that his two Sons,

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Daniel and William, had been seen presenting a Gun to fire at another, but were prevented by being discovered, sent some Persons thither to enquire into the Truth of the matter, who finding one of them lying dead near Lowe's house, made some Expostulations with his Sons on that head, who were so far from disowning the fact, that they said they would kill all the horses that came upon that Land, and having assaulted and grossly abused Paterson's Messengers, threatned they would tie and whip all those he should send over thither; that upon Complaint hereof made, a Warrant was issued for apprehending the two Persons who had been thus guilty of that Assault; that the Constable to whom the Precept was directed, having formerly mett with resistance from those People, and fearing new Insults, (for Thomas Cressop and his Associates had threatned to shoot any Officer of Pennsylvania who should come into those parts to do his Duty,) tho' he only took his Staff himself, yet thought it necesary to have a suitable Strength with him, and being assisted by James Pattersons, Senr, & Junr., William McManac, Alexander McKey, John Capper, John Hart, John Patten, James Patten and Mathew Bailey, and no others, amongst whom were only three Guns, and these not loaded, serving only as an appearance of Defence, went quietly to the house of Lowe the Father, and the Door being open, he then apprehended Daniel and William his two Sons; that no disturbance was made but what was occasioned by the Resistance of the Prisoners, and those who came to their Relief, and in preventing Lowe's Wife from going out to raise the Neighbourhood; that in their return, Thomas Cressop, William Canon and Edward Evans followed them to rescue the Prisoners, and wounded John Hart, but were obliged to desist; that Lowe's house where his Sons were taken, is several Miles more Northerly than Philadelphia, (which appears by a well known Line that had been run above forty years Since, on a due West Course from this City to Sasquehannah, in order to a more certain Discovery of the Country,) and that there are about four hundred People living more Southerly than Lowe's house, who pay taxes in the County of Lancaster, and have always acknowledged themselves Inhabitants of Pennsylvania.

The Board having fully considered the said Letters and Affidavits, and making some Observations on the Stile and manner of the Lord Baltimore's Letter, which they conceived too peremptory, were inclineable to think that his Lordship had left Room for no other Answer than barely to acquaint him that the supposed Riot was committed within the reputed and known bounds of Pennsylvania, and consequently, not cognizable by him. Yet, since his Lordship's Interposition in this Affair might probably be owing to some very wrong Impressions, and that he might not have had Leisure since his Arrival, so thoroughly to consider things of this Nature, The Board were of Opinion that a Letter, stating the facts as proved from the Affidavits, with some close, consequential Reasoning thereon,

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should be prepared and laid before the Board at their next meeting.

The Governor then proceeded to inform the Board, that an unhappy Fray had arisen on the Borders of Kent County, in this Government, and those of Dorsett in Maryland, of which Mr. Shurmer, the Clerk of that County, had given an Account in a Letter to the Clerk of this Board, and the same being read is in Substance,

That one John Newton purchased some Land of a Person who told him he held it under Maryland, on which Newton, as a Tenant of that Province, paid his Levies, at least for one year, to the Officers of Dorsett County, but that upon Enquiry he found he had been imposed on, for that the Land he was possessed of had never been granted by Maryland to any Person whatsoever; whereupon, believing himself to be entirely free, he chose rather to belong to the County of Kent, and accordingly got the Surveyor, but without any Warrant or other Grant, to run out some Lines, of which Notice was taken in the Surveyor's Books there, and from that time for some years, had paid his Levies to Kent County; that some of the Officers of Dorsett County lately demanding a Levy of him, as one of their Inhabitants, he made his Case known to some of the Justices of Kent, who appointed a Constable in his Neighbourhood for the preservation of the Peace; that the under Sherif of Dorsett continuing to insist on the same Demand, at length carried him off by force; that the Constable taking a sufficient Number of Assistants pursued them, and not without some Violence, rescued the Man and brought him back to his House.

The Board expressed their Concern that Occasions of Difference should arise between the two Provinces, especially at this Juncture, when 'tis to be expected the Execution of that Agreement concluded between the Proprietors, will soon terminate all Contentions of this Sort; and it being moved that the Justices of Kent County should be wrote to for a more particular Account of this matter, and that they should be cautioned to use their utmost Endeavours to prevent all Broils with our Neighbours of Maryland, it was recommended to the Governor to give the necessary directions herein.

E.

At a Council held at Philadelphia, January 11th, 1732–3.

PRESENT:

The Honourable the Proprietary.

The Lieutenant Governor.

James Logan,	Clement Plumsted,	Esquires.
Isaac Norris,	Thomas Laurence,	
Samuel Preston,	Ralph Assheton,	
Henry Brooke,	Samuel Hasell.	

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A Copy of the Letter which the Governor had dispatched to the Justices of the County of Kent, pursuant to the desire of the preceeding Council, was laid before the Board, and is as follows:

" Philadelphia, January 9th, 1732–3.

" Gentlemen :

" A Letter from Mr. Shurmer to my Secretary, being very lately " come to his hand, has been communicated to me, relating to a " Fray that has happened on the Borders of your County and those " of Dorset in Maryland, in the Narrative of which, as he has not " been sufficiently full and Clear, I am at some Loss how to judge of it, " but the Substance as far as I understand it is, that one John New- " ton purchased some Land of a Person who told him he held it " under Maryland, on which Newton as a Tenant of that Province, " paid his Levies, at least for one year, to the Officers of Dorset " County, but that upon Enquiry he found He had been imposed on, " for that the Land he was possessed of had never been granted by " Maryland to any Person whatsoever; whereupon, believing him- " self to be entirely free, he chose rather to belong to the County of " Kent, and accordingly got the Surveyor, but without any Warrant " or other Grant, to run out some Lines, of which Notice was taken " in the Surveyor's Books there, and from that time for some years, " he paid his Levies to your County ; that some of the Officers of " Dorset County lately demanding a Levy of him, as one of their " Inhabitants, he made his case known to some of your Number, " who appointed a Constable in his Neighbourhood for the Preserva- " tion of the Peace ; that the under Sherif of Dorset continuing to " insist on the same demand, at length carried him Off by Force ; " that the Constable taking a sufficient Number of Assistants, pur- " sued them, and not without some violence, rescued the Man " and brought him back to his House. Now, tho' it it is difficult to " account for this Proceeding on the part of Maryland in attempting " to take a Man Prisoner for his Levies to that Government, who " had several years paid them to this, at a time when there was rea- " son to expect that by the late Agreement all Differences would be " amicably composed, in which Attempt undoubtedly they were most " manifestly in the wrong, yet on the other hand, the utmost Caution " ought to be used not to give any just Occasion of Offence to our " Neighbours, with whom we have in the main lived in a good Un- " derstanding, and particularly to take Care not to Countenance the " Levity of such, as living on the disputable Borders, think they " may shift their Landlords at their own Will and Pleasure; for this " is a Practice this Government would never Encourage, nor is it our " Honourable Proprietor's desire that any Person who was first a " Tenant of my Lord Baltimore, should be afterwards allowed to " change till such time as the running of the division Lines, which

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" we may now speedily expect, shall fully determine under which " Government for the future, they are to be ranged.

" On receipt hereof I desire you without delay, to transmitt to me " a very particular Account of the whole Affair, and especially of " the time when Newton first Entred upon that Land; how he pur- " chased it; how long he paid his Levies to Maryland, & how long " to your County, as also, how the place is scituate, and how and by " whom the Neighbouring Lands are inhabited.

" And although the Magistrates will always desire to be com- " mended for their just Zeal in asserting the Rights of the Govern- " ment they live under, when these Rights on a sufficient Evidence " are clear to them, in which they may assure themselves they shall " always be duly protected, Yet I must again press upon you the " Caution I have given, and require you by no means to enter into " any Broils with my Lord Baltimore's Tenants, unless they should " force you, by invading a clear and just Right, to appear in De- " fence of it in a manner becoming Persons entrusted with necessary " Powers for protecting the People in their civil Liberties; and an " Account of your Procedure in such a just Discharge of your Duty " will always, I am sure, be most acceptable to our Honourable Pro- " prietor, as it will be to

" Gentlemen,

" Your Loving Friend,

" P. GORDON."

Addressed thus:

" To the Justices of His Majesty's

" Peace for the County of Kent."

Then was read a Draught of the Letter to Lord Baltimore, which, mentioning that Several Affidavits were therewith sent, was objected to, and some Reasons were urged against transmitting any other Papers than the Copy of the Letter from Messrs. Wright & Blunston, and of one of the Affidavits relating more particularly to his Lordship, whereupon the Board directed the said Draught to be amended, and some other Alterations being made, the same was after due Consideration approved, and is in these Words:

" My Lord:

" When I wrote to your Lordship the 23d Ulto., I was then at " some Loss what to say in answer to the Subject matter of your " Lordship's Letter, thinking myself in Prudence obliged to decline " giving my Sentiments of that Affair, lest on a proper Enquiry it " should be found otherwise than I had Reason, at that time, to ap- " prehend it. But the Return of my Express to Lancaster, has " brought me so full & distinct an Account of the whole, as clearly " shows that neither any Riot hath been committed within your Lord- " ship's Province by People of Pennsylvania, nor any Injustice done

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" to those whose Complaint your Lordship has thought fit to hearken " to.

" The Letter from the two Magistrates, a true Copy whereof is " here enclosed, gives a plain Narrative of the whole matter, which " is supported by many Affidavits now in my hand, the Substance " whereof is, that James Patterson being informed one or more of " his Horses were Killed, near John Lowe's Plantation, and that his " two Sons, Daniel and William, had been seen presenting a Gun " to fire at another, but were prevented by being discovered, sent " some Persons thither to enquire into the truth of the matter, who " finding one of them dead near Lowe's house, made some Expostu- " lations with his Sons on that head, who were so far from disown- " ing the fact that they said they would kill all the horses that came " upon that Land; and having assaulted and grossly abused Patter- " son's Messengers, threatned they would tie and whip all those he " should send over thither; that upon Complaint hereof made, a " Warrant was issued for apprehending the two Persons who had " been thus guilty of that assault; that the Constable to whom the " Precept was directed, having formerly met with Resistance from " these People, and fearing new insults, (for 'tis undeniably proved " of Thomas Cressop and his associates there, that they had threat- " ned to shoot any Officer of Pennsylvania who should come into " those parts to do his Duty; that they were provided with Arms, " and would use them for that purpose; nay, to such a pitch of In- " solence was Cressop arrived, as to declare that if he had known " when the Sherif came to apprehend a Man & Woman who had " murthered their Child, and have since been condemned for it, he " would have defended them,) from these Apprehensions therefore, " the Constable, tho' he only took his Staff himself, yet thought it " necessary to have a suitable Strength with him, and being assisted " by James Pattersons, Senr. & Junr., William McManac, Alexan- " der McKey, John Capper, John Hart, John Patten, James Patten " and Mathew Baily, and no others, amongst whom were only three " Guns, and these not loaded, serving only as an appearance of de- " fence, went quietly to the house of Lowe the Father, and the Door " being Open, he there apprehended Danl. and William his two Sons; " that no disturbance was made but what was occasioned by the " Resistance of the Prisoners, and those who came to their Relief, " and in preventing Lowe's Wife from going out to raise the Neigh- " bourhood; that in their return Thomas Cressop, William Canon " and Edward Evans, followed them to rescue the Prisoners, and " wounded John Hart, but were obliged to desist; and to conclude all, " that Lowe's house where his Sons were taken, is several miles " more Northerly than Philadelphia, (which appears, by a well " known Line that had been run above forty years since, on a due " West Course from this City to Sasquehannah, in order to a more " certain discovery of the Country,) and one Person, who for several

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" years past has been employed in Levying the Taxes of the County " of Lancaster, particularly deposes, that there are four hundred " People living more Southerly than Lowe's house who pay Taxes " in that County, & have always acknowledged themselves Inhabit- " ants of Pennsylvania.

" The Facts therefore standing thus, it is Evident that the Magis- " trates had unquestionable Right to issue their Warrant, both in " Relation to the Persons and place; and therefore, in answer to that " part of your Lordship's Letter where you expect they should be " punished for the Abuse of their Authority, I must further say, that " these two are Gentlemen of such Integrity, Discretion and good " Abilities, that I have never yet had real Cause to think they stood " in need even of Admonition, and I hope your Lordship, upon con- " sidering their Letter, will be so much of the same Opinion as plainly " to see they have been greatly misrepresented.

" But upon one part of the Letter from these Justices I must beg " leave to add, that there having been no Settlements, that we have " heard of, made on the West of Sasquehannah, by Authority either " from Maryland or this Province, more northerly than Nottingham " or thereabouts, till these unhappy late ones, yet some Vagrants, " retiring from the Justice of one or other of these Governments, " had some times sheltered themselves there and became troublesome. " It was therefore agreed, as I am very credibly informed, between " my Predecessor and the Lieutenant Governor of Maryland, about " Eleven or twelve years since, that all such Settlements should be " discouraged by both Governments; yet being at Conestogoe on a " Treaty with our Indians in 1728, I found some few had gone over " from our parts and sate down on the Lands Cressop and his Com- " pany, (as we now find,) have entred on, of which the Indians " then taking Notice to me, as a Breach of former Promises made " to them, I first made them sensible that their Settling there was " not with our Approbation, and then obliged all those People to " quitt their Settlements and return to this side of the River: and " the same Method we continued till Cressop came there, whose Be- " haviour soon drew many complaints against him. I considered " him at first as one of those Vagrants whom I have above described, " till finding by some Letters and other Papers sent me last Summer " by Mr. Ogle, that some large Surveys had lately been made there, " in parts that Maryland has never formerly, that we know, extended " their Claims to, (which considering the Agreement at London in " 1724, that to this time has been carefully observed on our part, " your Lordship must allow to have been most irregular,) I could " not but be of Opinion that as some Gentlemen of your Lordship's " Province, who, casting an Eye on those Lands, now rendred more " valuable by the Neighbourhood of our Inhabitants, had attempted " so unjustifiable a Survey, it might suit their purposes to have Cres- " sop and some others of the like turbulent Dispositions settled there,

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" to give some Countenance to their Claim; but how far he or any " of his Associates are worthy of your Lordship's Regard, I shall " leave to your Judgement, on a due Enquiry into their Conduct; in " the mean time I cannot forbear furnishing your Lordship with a " Copy of one of the Affidavits which more particularly relates to " yourself, and Contains what must be entirely discredited by those " who are acquainted with my Lord Baltimore's Character.

" I am truly sorry that Misrepresentations of this late Affair have " so far prevailed as to divert your Lordship from matters of higher " moment, which on your Arrival in your Province must necessarily " Engage your Attention, and if in Cases of the like nature, your " Lordship has received any impressions to the Disadvantage of this " Government, (in which some, probably, may have a particular In- " terest,) I hope on a proper Enquiry, and in due time, they will " be effectually removed; for as I hinted in my former, I can assure " your Lordship, that ever since I had the Honour to preside in this " Government, I have been anxiously Sollicitous to compose those " Ruffles and Misunderstanding which the undivided State of the " two Provinces occasioned, lest these might begett animosities, and " create Quarrels between the Subjects of the same Crown, that " may in the end have Consequences too obvious to be noted to a Per- " son of your Lordship's Penetration, but 'tis Scarce to be expected " Contentions of this sort can so entirely cease as we could wish, till " a Partition shall be actually made.

" Thus My Lord, I have endeavoured to give you a satisfactory " Answer to your Letter, and if I cannot comply with your Lord- " ship's demand of delivering up Inhabitants of this Province to be " tried in yours, for a supposed Riot, committed many Miles within " the well known bounds of Pennsylvania, your Lordship will do " me the Justice to believe the same proceeds from a Sense of the " like Obligations on me, to protect His Majesty's Subjects in this " Province in their just Rights, with those your Lordship conceives " yourself under, for protecting such of them as are your Tenants. " I am,

" My Lord,

" Your Lordship's

" Most obedient, humble Servt.

" P. GORDON.

" P. S.

" It gives me some concern that I am obliged to add to this, that " I have lately received an imperfect Account of a Scuffle that has " happened on the Borders of Kent County in this Government, and " Dorset in yours, occasioned by some of your Lordship's Officers " taking one Newton a Prisoner, and forcing him from his own " House: what I have been able to learn of this Affair, & my Sen- " timents of it, your Lordship may perceive on perusal of the inclosed

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" Copy of a Letter which I immediately dispatched to the Justices " of Kent County on the Subject."

N. B.

The foregoing Letter was dated

" Philadelphia, January 15th, 1732-3, and addressed thus:

" To the Right Honourable,

" The Lord Baltimore."

E.

At a Council held at Philadelphia, February 14th, 1732-3.

PRESENT:

The Honourable the Proprietary.
The Lieutenant Governor.

James Logan, Clement Plumsted, Isaac Norris, Thomas Laurence, Samuel Preston, Samuel Hasell, Henry Brooke, } Esq'rs.

The Minutes of the two preceeding Councils were read and approved.

The Governor then informed the Board, that on the 3d instant he had received a Letter from the Lieutenant Governor of Maryland, inclosing one from the Lord Baltimore, by which it appears his Lordship, notwithstanding what had been wrote to him, continues to insist on the demand made in his former Letter, of delivering up those Persons concerned in the Execution of the Warrant issued against the Sons of John Lowe, living on the West Side of Sasquehannah. That the day before these Letters were brought to him, having by an unhappy fall so much disabled his right Arm that he could not write himself, he had desired a Gentleman of this Board to write to Mr. Ogle, acknowledging the Receipt of the Letters, and mentioning the hurt which he (the Governor) had received, and that as soon as possible both Letters should receive an answer.

The Governor proceeded to say, that the Importance of this Affair rendring it necessary to be well weighed & considered, he had directed the Council to be called together to advise therein. Then laying the said Letters before the Board, the same were read, and are as followes:

" Annapolis, January ye 24th, 1732-3.

" Sir:

" I am very much concerned that I am Obliged to give you far- " ther trouble on Account of the Riot committed by People claiming

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" under your Government in this Province, and to obviate all pre-
" tence of want of Knowledge of the nature of the Offence, I have
" directed Mr. Ogle to shew you Copys of the Depositions, and to de-
" mand in my Name the delivery of the Persons, to be delt with
" according to Law. I desire Mr. Gordon will be assured no one
" has a greater regard or Esteem for him than I have, and nothing
" but the Protection of His Majesty's Subjects under My Govern-
" ment, will induce me to be farther importuning on a Subject you
" think so disagreeable.

" Your humble Servant,

" Baltimore."

" Newcastle, February 1st, 1732-3.

" Sir:

" His Lordship, upon the Receipt of your Letter of the 15th of
" last Month, by the Conveyance of Mr. Georges, was pleased to
" deliver me the inclosed, with directions to give it to yourself, and at
" the same time acquaint you with what his Lordship still expects
" and insists on from the Justice of your Government.

" But as I hear we are not likely to have the pleasure of seeing
" you at Newcastle, I send this Express with the enclosed, and by it
" you will perceive his Lordship once more demands the Delivery
" up of the Rioters, to the Magistrates of his Province, and I am
" ordered to say, that his Lordship is the more obliged to persevere
" in what his Lordship thinks is justly owing to his Government, by
" the very manner in which you think fit to represent the affair in
" your own Letter: the coming with Numbers, & in a violent manner
" forcing his Lordships Tenants before your Magistrates, are admitted,
" and altho' you are pleased to distinguish his Lordship out of that
" part of his Province, by an Agreement which is now under Agita-
" tion, and which you seem to make the Execution of necessary, to
" prevent further Disturbances on the Borders, his Lordship cannot
" but be surprized to find your Magistrates are justified in issuing
" Warrants for the apprehension of Persons in his Lordship's Pro-
" vince, before the Lines are run and Bounds Settled, which are
" stipulated by the Articles, to be done under a pretence that proba-
" bly such place may fall within the Government of Pennsylvania
" when the Lines are run: if this is the Case, his Lordship thinks
" it could not be so useful and necessary to name Commissioners, or
" to run the Lines intended by the Articles, since every Magistrate
" may on their own head take upon them, tho' no Lines are run to
" distinguish the Bounds, and each Government protect them.

" His Lordship is satisfied none can conceive the Agreement to
" have any such effect before the Lines are run, and that yourself
" are convinced of the weakness of that reason, since, in your Let-
" ter of the 30th of December last, directed to the Justices of Kent
" County on Delaware, a Copy of which you sent to his Lordship,

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" you very justly acquaint them that no Person who was first a " Tenant of his Lordship, should be allowed to change, till such " time as the running of the Division Lines shall fully determine un- " der which Government, for the future, they are to be ranged.

" His Lordship would not willingly persuade himself, (unless " forced by a further protection of the Rioters,) that this transaction " was done rather to obstruct than facilitate the Execution of the " Agreement, since nothing seems to him to show a greater want of " the Candour enjoyned by the Articles, than approving the presump- " tion of Magistrates in issuing Warrants, and Boldness of Persons " acting under those Warrants in an Affair intended to be accomo- " dated by their Superiors in another manner, and yet such proce- " dure, instead of being disowned by your Government, is justified " and urged, as necessary for the execution of the Agreement.

" I have also herewith sent Copys of the Affidavits taken in his " Lordship's Province, in relation to that affair; the substance of " them is much the same with those taken Notice of in your Letter " to his Lordship, but aggravated with very probable Circumstances " of Behaviour and Expressions, in such forward Rioters.

" Having nothing further at present to trouble you with, but to " repeat his Lordship's desire of having your immediate answer, by " this Bearer, whether you will be pleased to order the delivery up " of the Rioters complained of, to the Magistrates in Maryland, who " have Orders to receive them,

" I remain, Sir,

" Your most humble Serv't,

" SAM. OGLE."

Addressed thus:

" To the Honble Patrick Gordon, Esqr.,

" Governor of Pennsylvania."

The Board expressing their Surprize that the Lord Baltimore should, without taking the least Notice of what the Governor had wrote to him, think fitt to insist on his former Demands in so peremptory a manner, came to this unanimous Resolution, that for the Reasons contained in the said Letter, his Lordship's Demand is by no means to be complied with, and that the same should be signified to his Lordship, in very plain Terms.

Whereupon, two several Draughts of a Letter in answer having been made, the same were communicated to the Board, who, approving the Substance of both, but preferring the manner in which one of them was conceived, directions were given for taking such parts of each as best suited the sense of the Board.

And accordingly, a Letter in these Words was drawn up, and signed by the Governor:

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" My Lord:

" Your Lordship's Letter of the 24th Ulto., under cover of one " from Mr. Ogle, and accompanied with the Copies of two Deposi- " tions, came to my hands on the 3d Current, by the Bearer of which " I would have returned an Answer, if an unlucky hurt I received " the day before, had not disabled me from attending to any Business. " I account it an unhappiness that mine of the 15th of January has " been so far from satisfying your Lordship, that without taking the " least Notice of what I there represented, your Lordship should " think fitt to insist on the Demand mentioned in your former Let- " ter. If the Reasons already given for not complying therewith " have not sufficient Weight with your Lordship, I am not able to " judge what others can be added in defence of an Action which, in " all its Circumstances, were it really Criminal, can only be cogni- " zable in Pennsylvania, the place where it was done; for it is abun- " dantly evident that Lowe's Settlement, even without Regard to " the last Agreement, is many Miles within the known bounds of " this Province, and clearly without the most extensive ever claimed " to our Knowledge by Maryland. And since the Regular Adminis- " tration of Justice and due Exercise of the Powers of Government " make it absolutely necessary that some Limits should at all times " be known and acknowledged, it is to be considered what Confu- " sion must ensue, if these are to be varied and shifted, to support " every bold Intruder, who, tho' actually seated within one Province, " may yett think fitt to call himself an Inhabitant of the other.

" I shall forbear at present making some very obvious Remarks " on the Depositions sent me, and shall only say, that as I never had " the least Inclination of any Abuse offered to Lowe, the Father, " when the Warrant was served on his two Sons, Daniel and William, " for whom alone it was issued, your Lordship may be assured that " this Government will have so strict a Regard to do impartial Jus- " tice between all its Inhabitants, that John Lowe, (if the Case be " as he represents it,) on a proper Application, may depend on being " redressed in due course of Law.

" Tho' I have the Honour, my Lord, to be at the head of the Ad- " ministration of this Province, yet as one of our Honourable Pro- " prietors is now here, I could not judge it proper, however clear the " present Case may be, to make any further Answer to your Lord- " ship's Demand without first learning his Sentiments, and he has " been pleased to lett me know, that tho' your Lordship thinks fitt " to take offence at the granting and executing a lawfull Warrant " within this Province, yet that the same is not a sufficient Reason to " him for delivering up a Freeman of Pennsylvania, to be tried in " Maryld., for not knowing that the Proprietor of that Province " would resent his doing the Duty of a Constable within his own " District. He was likewise pleased to add that he has the same

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" certainty that Lowe's Settlement, (the place where the supposed " Wrong is said to be done,) is as unquestionably within the Pro- " vince of Pennsylvania, as your Lordship has of Elk River being " within that of Maryland; that he knows this Province to be as " independent of Maryland as that is of Pennsylvania, and tho' " his Principles, and those of the greatest part of the Inhabit- " ants, allow of no force except that of the Civil Magistrates, yet " being protected by his Majesty's Wisdom and Justice, (upon which " he entirely relies for his Defence,) he apprehends no Danger from " the different Principles and Superior strength of Maryland.

" I have it likewise in charge from him to represent to your Lord- " ship, that the time for running and marking the Lines, Limits and " Bounds between the Province of Pennsylvania, Counties of New- " castle, Kent & Sussex on Delaware, and the Province of Maryland, " by the delay of your Lordship's Commissioners is far spent, and " therefore, that your Lordship may, in such manner as you think " fitt, direct your Commissioners to proceed to the Execution of that " part of the Articles yet remaining to be done, pursuant to the A- " greement concluded.

" Having thus discharged myself of what I had in Command to " write to your Lordship, I am, on my own part, to return you my " very humble thanks for the Personal Regard your Lordship is " pleased to express for me, and to assure your Lordship it shall be " my Endeavour to merit the Continuance of it, by acting no part " unbecoming of My Lord,

" Your Lordship's most

" Obedient, humble Servant,

" P. GORDON.

This Letter was dated,

" Philadelphia, February 17th, 1732-2."

And addressed thus:

" To the Right Honourable,

" The Lord Baltimore."

The Governor thought fitt likewise, to answer Mr. Ogle by a Letter in these Words:

" Philadelphia, February 17th, 1732-3.

" Sir:

" Having said to my Lord Baltimore what I apprehend to be suf- " ficient, in answer to his Letter, and to that part of yours in which " you, in his Name, demand the Delivery up of the Rioters, as you " call them, to the Magistrates of Maryland, I should gladly have " spared you and myself the Trouble of entring further into the " Dispute, were it not that you have been pleased to make me say " and admit what I think I have not, and am sure never intended.

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" In your Letter it is said, that by the very manner in which I " have represented the Affair in mine of the 15th of January last, " to his Lordship, the coming with Numbers, and in a violent man- " ner forcing his Lordship's Tenants before our Magistrates is ad- " mitted, and that upon this Admision his Lordship is the more " obliged to persevere in what he thinks is justly owing to his Gov- " ernment, vizt: the Delivery up of those you call the Rioters. To " this I must say, it requires a skill in distinguishing & inferring, " to which I have ever been utterly a Stranger, to find out how the " saying that the Constable of Lancaster County, with such Assist- " ance as he thought proper to take with him, went and apprehended " some notorious Disturbers of the Peace within our Government, " can be construed such an Admission. You seem also to make me " apply the Articles of Agreement now in Agitation, to justify our " Magistrates in granting that Warrent against Lowe's Sons, which " was ever as far from my thoughts as the other. No Sir, the Foun- " dation on which that Warrant was granted, could be no other than " the certain knowledge our Magistrates had that Lowe's Settlement " is within the indisputable bounds of Pennsylvania; they well " knew that it lies considerably more Northerly than Philadelphia, " and by common Computation thirty Miles above the Northern " Boundary of Maryland, Sett, as I am well informed by Charles, " Lord Proprietor of that Province, about fifty years since, and not " long after the King's Grant for this Province, of the Bounds of " which he was not unsensible, and according to which our Inhabit- " ants, for the greater part of that time, have had a continual Pos- " session, and therein they would undoubtedly have proceeded as " they did, had the last Agreement never been entered into. Yet, " as it was concluded, (and as such it is made no Secret here,) it " certainly could not have any such Effect as to discourage them " from doing their Duty, when they saw clearly that even by the " plain and express Terms of that Agreement, the place of Lowe's " Settlements is several miles more Northerly than Philadelphia, " fifteen miles below which the East and West Line, dividing the " Provinces, when it is run must necessarily fall.

" 'Tis very true I have said the running of these Lines, as stipu- " lated by the Articles, is necessary for preventing further Disturb- " ances, and putting an end to all controversies about Property as " well as Government, between the two Provinces, and untill I am " better informed I must continue of the same Opinion. I am like- " wise of Opinion, that the Point in which you say his Lordship is " so well satisfied, vizt: that the Agreement can have no Effect till " the Lines are run, is not necessary now to be insisted on, because " our side of this Dispute can be very clearly supported, without " having any recourse to that Agreement for Aid.

" You further urge my Letter to our Justices of Kent, of the 9th " of January, (not of the 30th of December,) from whence you say

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" I am convinced of the weakness of my own Argument. But in this " you mistake Equally as in the rest. An Agreement was entred " into in 1724 at London, by the Proprietors on both Sides, as an " Amicable Expedient for preventing all Disturbances between the " two Governments, which according to their own Direction, was " published by Proclamation, and tho' Limited to a Term, yet the sub- " sequent and last words of it carry its Equity to all future time, " so long as there was an Expectation of a Compleat Agreement, & " so it was understood by your Predecessors, and especially by that " Honourable Gentleman, Benedict Calvert, Esqr., who in the pres- " ence of divers Persons of Worth, agreed with me, both at Annap- " olis and Philadelphia, that it ought and should be observed by both " Provinces as the best Expedient for the same good Purposes for " which it was intended. That is, We agreed that none should be " disturbed on either Side, who had been in possession in 1724, and " we mutually declared against Shifting of Landlords, as it has " been called. By the same Agreement of 1724, it is stipulated also, " that no Surveys should be made near the Limits on either side, which " by our Land Office, as I understand, has been carefully observed. " Now how this pacifick Agreement and what ensued upon it, should " be construed in favour of Surveys made in Breach of it, is what " surpasses my understanding; I am told, indeed, you were pleased " to declare when last at Newcastle, that the Land Office of Mary- " land grants its Warrants at Large, and those who purchase them " lay them at their own Risque, where they please, and no " Man can call them to Account for so doing till the Division Lines " are run. The plain consequence of which Position is that every " Man who gets such a Warrant, has it in his Power to carry " a part of Maryland where he pleases, and to scatter Pieces of it " all over Pennsylvania as he thinks fitt, and then, from only calling " himself the Lord Baltimore's Tenant, may committ the greatest " Irregularities on that Spott, without being accountable to any other " Authority than that of his Lordship.

" But my Care to have my Sentiments clearly understood having " carried me to a greater length than I intended, I shall only take " the Liberty to state the Case between Pennsylvania and Maryland " as it appears to stand at present, and shall leave it to others to judge " which Government has acted the most Neighbourly part in Regard " to the other.

" Charles, Lord Baltimore, of his own Authority, about fifty years " since, thought fitt to sett a Northern Limit to his own Province, " which for many years after was reputed the Boundary of Mary- " land, and no other has ever yet been made, that we know of, till " the late Agreement. Pennsylvania, to avoid differing with their " Neighbours, and in a continual Expectation of having the Bounds " Settled by the joint Agreement of both Proprietors, (tho' they

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" thought their Province broke in upon,) have constantly kept to the " Northward of those Bounds to this Day. Now a solemn Agree- " ment is concluded between the Proprietors, for dividing the two " Provinces by an East and West Line, which is expressed and " directed, and in such Plain and clear Terms that it is evident it " must run fifteen Miles more to the Southward than Philadelphia is " scituated; while the Execution of this Agreement is in Agitation, " Pennsylvania, or some of its Magistrates, find it necessary for " Preservation of the Peace, to call some Persons who live, accord- " ing to common Computation, thirty Miles to the Northward of " the first Line run by Charles, Lord Baltimore, and several Miles " more Northerly than Philadelphia, to account for some great Mis- " demeanours; Maryland at the same time, thinks fitt to extend its " civil Authority all those thirty Miles beyond its former ancient " Boundary, and twenty Miles beyond where they may well know " the Line last agreed on must fall, and so much at least beyond " what they have been known to possess or claim before. Now, " Sir, upon this State of the Case, if I have not mistaken it, I could " refer it to my Lord Baltimore himself who are the Agressors, and " whether it be possible for his Lordship to believe that Lowe's Af- " fair could be set on foot on our Side, to obstruct the Execution of " an Agreement upon which, be that how it will, it can have no in- " fluence. I am,

" Sir,

" Your most humble Servant,

" P. GORDON."

Addressed thus:

" To the Honble Samuel Ogle, Esqr.

" Lieutenant Governor of Maryland."

E.

—

February 23d.

Before the two preceeding Letters were dispatched, an Express from Maryland brought another Letter from the Lord Baltimore, bearing date the 15th instant, which being communicated to the Honourable the Proprietary, the Gentlemen of the Council, & to the Commissioners named on the part of this Province for executing the Agreement, an answer of this day's date was, on mature Consideration, returned to it.

His Lordship's Letter is as follows:

" Sir:

" I am sorry I am obliged to be troublesome to you on another

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" Affair, if possible of a more notorious nature than that which hath " been the Subject of our Letters, tho' you must give me leave to " observe it is the first instance in His Majesty's Plantations, when " Rioters and People levying War against any of His Subjects, have " been denyed to be delivered up to the Government in which the Of- " fence was committed, on proper application, and such I make no " doubt mine will appear to have been, in due time.

" I herewith send you the Proofs of the Riot & Levying War, com- " mitted in the County of Dorset, together with the Copy of a Letter " sent by the Justices of Kent County, not to enter into a long " Detail of a Fact so clear. I do demand the following Persons, " vizt: Robert Howard, James Monsey, Samuel Brook, John Howard, " Arthur Steel, Robert Meredith, and one Mr. Chamney, may be de- " livered up to the Sherif of Dorset County, to be dealt with accord- " ing to Law; & I hope Mr. Gordon will favour me with a Catego- " rical Answer, & as nothing is more acceptable to Our most Gracious " Sovereign, than that strict and Equal Justice should be done to all " his Subjects, you will not deem me tenacious if I appear critic- " ally nice in this point.

" My Arrival in this Province afforded me an opportunity of taking " more than ordinary Care that my Commissioners, in complyance " with the Method proposed between Messrs. Penn's & myself, should " be very punctual in meeting the Commissioners of Pennsylvania, " at Newcastle, the first of this instant, pursuant to the adjournment " jointly made by the Commissioners on both Sides, the third of " last November; for this Purpose I thought fitt to Nominate a new " Commissioner, to supply the place of an infirm one, and for the " same reason my Commissioners, notwithstanding the unusual ex- " tremity of the Present Season, and the distance of place, were so " assiduous in their Journeys as for some of them to arrive at New- " castle many days, and all of them before the day appointed. This " Behaviour on our part, might justly challenge the same strict Ob- " servance from the Commissioners of Pennsylvania. And I should " still have depended on their unwillingness of being guilty of any " infraction, if on the sudden return of my Commissioners I had not " been informed, that the Commissioners of Pennsylvania so little ob- " served the Adjournment made by the Commissioners on both sides, " of their meeting, at ten a Clock on Saturday, the third instant, in " the morning, pursuant to their accustomed way of proceeding, as " that not only one of them left the place of meeting abruptly, at " the very instant my Commissioners desired to proceed on business, " of whereby there was not a sufficient Number present, but also that " the others, (tho' sent for, and repeated Declarations made by my " Commissioners of breaking up the Meeting for their Non Attend- " ance) seem'd willfully and obstinately to neglect attending that " morning, which ended the appointment made by the joint Com-

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" missioners on Friday the second instant, in the afternoon. I for-
" bear to mention many other Circumstances, reported to me by my
" Commissioners, and which too plainly shew'd a Design in the
" Commissioners of Pennsylvania, to violate the Measures Entred
" into in that particular. Was I Enclineable to make the strict use
" of this failure, nay, voluntary one, on the side of the Pennsylvania
" Commissioners, I might not only disregard all farther Notice, but
" Entitle myself immediately to the Forfeiture incurred by the fail-
" ure of the Commissioners of Pennsylvania. But I think myself
" not a little fortunate, by my being in my Province at this juncture,
" that I may have an Opportunity of doing in this Affair, what my
" Commissioners perhaps could not reconcile to themselves the lib-
" erty of, which is to recede in some measure from the advantage I
" may claim from the proceeding of the Commissioners of Pennsylva.
" Upon this Account I am Willing, and now offer, and have according-
" ly given Directions to my Commissioners that they should meet the
" Commissioners of Pennsylvania, on the first Munday in May next,
" at the town of Joppa in Baltimore County, in the Province of Ma-
" ryland, But with this salvo of all the Right, Benefit, and advan-
" tage, I may Claim from the Non attendance or Failure of the
" Pennsylvania Commissioners, on the third instant, in the morning,
" according to the last Adjournment.

" I think myself obliged to name the place at Joppa, not only
" because my Commissioners have attended twice at Newcastle, but
" also by reason of a Behaviour of your Commissioners to some of
" mine in Newcastle, which possibly without having the Command
" over the Inhabitants, would never have been attempted, and to
" prevent any apprehension of the like Conduct from any Commis-
" sioners, I do assure you I shall give a strict Charge to the Con-
" trary.

" Your humble Servt.

" BALTIMORE."

E.

Feb. the 15th, 1733.

Addressed thus:

" To the Honble. Patrick Gordon, Esq.

" Governor of Pennsylvania."

The Answer to which is in these Words:

" My Lord:

" On the 21st I received yours of the 15th instant, with a positive
" demand on me to deliver to the Sherif of Dorset County, seven
" Persons named therein charged by several Affidavits, accompanying
" your Letter, with a Riot committed by them in the said County,
" within your Lordship's Province, and this you are pleased to call

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" Levying of War, which is certainly a very hard term for a Res-
" cue, as it appears at most to have been, and without any other View
" than to bring back a Prisoner, whom those People supposed to have
" been unjustly taken, and carried away from his own house. But
" by what ever name it is called, I find it is the same action which
" I mentioned with some Concern, in a Postcript to my Letter of the
" 15th of January, inclosing a Copy of what I had wrote a few
" days before, to our Justices of Kent County on the Subject,
" by which Copy your Lordship could not but be convinced, how
" highly Disagreeable to our Inclinations here that proceeding was,
" in every part of it, and how very far I am from countenancing any
" measures that might give the least Occasion of just offence to our
" Neighbours, with whom it has always been my care & study to
" live in friendship and cultivate a good Understanding. By the
" same also, your Lordship might observe, I required those Justices
" to transmitt to me an exact account of that Action, and every
" particular relating to it, and I have since received their answer,
" which is much short of what I expected. Yet in General, it rep-
" resents the whole Affair so exceedingly wide and different from
" what the Affidavits your Lordship has sent me render it, that on
" the one Side or the other, there must be such gross mistakes, as that
" the Accounts appear no way reconcileable. The Deponents in these
" Affidavits, are indeed the complaining Parties themselves, who
" therefore, doubtless have aggravated the Story their utmost, and
" those from whom our Justices could have the account of it might
" be as willing on the other hand to extenuate every Circumstance.

" However, as I have always believed the doing of Justice to be
" the Principal duty in Life amongst all Men, and that it is more
" particularly Incumbent on those placed in the Station I am hon-
" oured with, and as it is evident those Men have committed a gross
" Mistake, I shall, without delay, give orders for apprehending them.
" But as the whole of this has arisen from these unhappy Disputes,
" too common amongst Borderers, where the People are apt to con-
" ceive they have different Interests, and from thence are easily irri-
" tated against Each other, I take it to be absolutely necessary that
" proper Endeavours should be used to come as nearly as possible to
" the exact truth of the Case, which in a Court of Either Govern-
" ment might not be so easily practicable; I therefore at the same
" time, give Directions to some of our Justices of Kent, to invite
" some of yours of Dorset County, which I hope your Lordship
" will approve, to joyn with them in calling upon, and strictly ex-
" aming on Oath or Affirmation, every Person whatever that can be
" found, who can give any account of the proceedings, or any mat-
" ter relating to it, by which the whole Truth may be impartially
" collected and Known, and then I doubt not but I shall be able, and
" will endeavour to give your Lordship all the reasonable satisfac-
" tion you can desire.

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"This Affair, My Lord, I perceive by your Letter, appears very "heinous in your Eyes, and your Lordship saw that from the very "first Notice I had of it, I was far from approving it. I am how- "ever pleased to find, 'tis the first instance of this Kind within my "time, and as far as I can learn, before it, that any of our People "have been charged with; for that other of which your Lordship "so highly complains, I have fully shewn to be of a nature Entirely "different. But on the other hand, I am well informed, clear and "certain Proofs could Easily be had, of several very violent Acts "committed by those of Maryland, upon the People of this Govern- "ment, near the Borders, and of several who have been taken and "long kept Prisoners; not for any violent Act or attempt on their "parts, but solely on occasion of those perplexing Disputes about "the Boundaries, which your Lordship so fully determined by the late "Agreement to put an End to, and yet our Conduct has been so "different that there has not, for the twenty years past, as I am well "assured, been one Instance of any Person of Maryland committed "to Prison, or even held to Bail by this Government, on these Dis- "putes, (for Lowe's affair I must say is out of the Case,) one Wher- "ry excepted, who being taken in a notorious Riot, was bound over "to our Chester Court. Yet tho' the act was clear and indisputable, "he was very easily dismissed and without Charge, on no other "Consideration, (for his Behaviour no way entitled him to it,) than "because the action arose on the foot of these Proprietary Differ- "ences between the two Provinces, for which favour he immediately "after made the most ungratefull returns.

"To the other part of your Lordship's Letter, relating to our Com- "missioners for executing the late Agreement, I intended to answer, to- "gether with this, by the same bearer, for which reason he has been "the longer detained; but as that part not only affects our Honourable "Proprietor, but all of us his Commissioners, and the extream bad "Roads and Weather, not allowing us to meet so early as might "otherwise be practicable, I am obliged to defer it till, pursuant to "a late Resolution, I can more fully and clearly give you their "Sentiments, not Only on that part of your Lordship's Letter, but "on the whole Affair it relates to, which will be very soon dispatch- "ed by a Messenger on purpose.

"Having some days since prepared Answers to your Lordship "of the 24th of January, & Mr. Ogle's from Newcastle, inclosing "it, which were to go by the first Opportunity, I now take this of "the same bearer, to forward them, and begging your Lordship's

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" Excuse for my being still obliged to use another Hand, my own " being not yet sufficiently recovered. I remain, My Lord,

" Your Lordship's

" Most obedt. humble Servt.

" P. GORDON."

" Philadelphia, February 22, 1732–3,

Addressed thus:

" To the Right Honourable,

" The Lord Baltimore."

E.

The following Letter was likewise wrote to the Justices of the County of Kent.

" Philadelphia, February 26th, 1732–3.

" GENTLEMEN:

" In Answer to mine of the 9th Ulto., I received yours of the 16th " of the same, with your account, as it then came to your Knowledge, " of the Fray in Dorset County in Maryland, occasioned by some of " our Inhabitants too unadvisedly pursuing the under Sherif of Dorset " and his Company, into their Government, since which I have very " lately received from the Lord Baltimore, a Letter of the 15th instant, " with Copies of divers Affidavits taken by his Order, and made by " his under Sherif and those who attended him, Which Affidavits " Charge those who went out of your County, with a Behaviour very " widely different from the Account you have rendred to me of that " Action. Whereupon his Lordship has thought fitt to demand of me " that I would immediately order seven Persons, named in his Letter, " vizt: Robert Howard, James Mensey, Samuel Brook, John Howard, " Arthur Steel, Robert Meredith and one Mr. Chamney, to be deliverd " to the Sherif of Dorset, to be proceeded against according to Law.

" But as on the one hand, I will not fail to see that the Govern- " ment of Maryland, or any particular Persons in it, shall have Jus- " tice done them for any Injury they may have suffered by the People " of this Government, so on the other hand, I shall not be willing to " deliver up any of our Inhabitants to be tryed in another Province, " untill it appear that the nature of the Case requires it.

" In the mean time, it is evident on their part, they highly aggravate " what those from whom you have had your Account, may probably " have as much extenuated; therefore, in Order to have the whole truth " of the Fact in all its Circumstances, impartially collected and fully " known, I hereby direct you to invite some of the Magistrates of Dorset " County to join with you, and both in Maryland by their Authority, " and by yours in Kent, to examine and take the Depositions of every " credible Person whatsoever, that have any Knowledge of that Affair, " concerning the whole and every part of it, without any Partiality, " Favour, or Resentment, that we may be the more fully Enabled to

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"make a true Judgement, as well of the Action itself, as of the proper "and just Measures that are to be taken thereupon, and hereof fail not "to return me a Minute and particular Account. At the same time "you are also to apprehend and take into Custody, those seven "Persons above named, and either committ them or oblige them to "find good Bail to appear at your next County Court, to answer to "such Matters as will be laid to their Charge for that Action. For, "as we have always till these unaccountable Broils were set on foot, "lived amicably in the main with our Neighbours, and have endeav-"oured to maintain Friendship and cultivate a good Understanding "with them, we ought in Regard to Justice, and that our Government "may be unblameable, to take all legal and proper Measures to give "both that Government and all such Persons under it as have re-"ceived an Injury from any of our Inhabitants, all the reasonable "satisfaction that the Case requires.

"And that you may be the better informed of what the Government "of Maryland lays to those Persons' Charge, I herewith send you "Copies of the Depositions transmitted to me, and in Case the Magis-"trates of Dorset should, on your Application, decline, as I hope they "will not, to join with you in this fair and Equitable Enquiry, you "must nevertheless proceed in it; and in that case, should it so happen, "you are still to be the more careful and Sollicitous that the whole "Truth without any byass be found out and represented, that there "may not be the least Room left to suspect any manner of Injustice or "Partiality. As also, to make a return of your Proceedings herein "with all the Dispatch that conveniently may be, to me here, who "am,

"Gentlemen,

"Your Loving Friend,

"P. GORDON."

E.

At a Council held at Philadelphia, March 5th, 1732–3.

PRESENT:

The Honourable the Proprietary.

The Lieutenant Governor.

James Logan, Thomas Laurence, } Esquires.
Henry Brooke, Ralph Assheton. }
Clement Plumsted,

The Governor acquainted the Board that the Commissioners of the Peace for the respective Counties of this Province, and those of Newcastle, Kent & Sussex, on Delaware, tested by him as deriving

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his Authority from Springett Penn, Esquire, the Heir at Law, and Mistress Penn, the Executrix of our late Honourable Proprietor, being necessary in that Point to be altered, by Reason of the Demise of the said Heir at Law and Executrix, he had thought fitt to direct new Commissions to be issued to the same Persons now acting under the former, leaving out that part of the said Teste. But an Addition to the Commission of the Peace for the City and County of Philadelphia being much wanted, he had appointed this meeting of the Board to consider thereof. And after some time spent thereon, the following Persons were named and agreed on, to witt: Isaac Norris, Clement Plumsted, Thomas Laurence, Samuel Hasell; The Mayor of the City of Philadelphia for the time being; The Recorder of the City of Philadelphia for the time being; Edward Farmer, Charles Read, Edward Roberts, Richd. Harrison, Derick Jansen, Owen Evan, William Allen, George Boon, Thomas Griffitts, George Fitzwater, Richard Martin, Lassey Bore, John Pawlin and Mordecai Lincoln, Esquires. And their Names being accordingly inserted in a blank Commission, now before the Board, the same was signed by the Governor, & ordered to be forthwith sealed and delivered to the Clerk of the Peace.

E.

At a Council held at Philadelphia, March 19th, 1732-3

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieutenant Governor.

Isaac Norris, Henry Brooke, Clement Plumsted, Ralph Assheton, Samuel Hasell. } Esquires.

The Governor acquainted the Board, that this being the day to which the Assembly of the Province stood adjourned, in order to enter on the Public Business of the Country, he had prepared a Draught of a Speech which he intended to make to them to morrow, and was now to desire the Opinion of the Board thereon, which being read, was with a very small alteration, approved.

E.

March 20th.

The Speaker, with the whole House, attending according to Order, the Governor spoke to them as follows:

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"Mr. Speaker & Gentlemen:

"As I have constantly hitherto, had Reason to express my Satisfaction in the good Disposition and Zeal of the Representatives of this Province, for the Peace and Prosperity of their Country, and no less in their Regard and Affection to me, I have not at this time on your Meeting pursuant to your last Adjournment, to proceed on publick Business, the least Cause to doubt of the like hearty Inclinations and firm Resolutions on your Parts, to pursue with Unanimity and all reasonable Dispatch, the same good Ends. To the obtaining whereof I shall, as I have ever done, contribute my sincerest Endeavours, by which means we shall be mutually enabled the most effectually to secure the Tranquility and advance the true Honour & Interest of the whole.

"And as I am now to lay before you such Heads as may call for your serious Thoughts and Application, I shall first observe that while Britain, our Mother Country, by the vigilant Care and Paternal Affection of the best of Princes, Our most gracious Sovereign fully enjoys the great Blessings of Peace and Plenty, yet divers of her Colonies find themselves distressed by the lowness of the Markets for the Staple Commodities, wherein their Trade consists. Nor are we in this Case happier than the rest. Whatever means therefore can be found in any Measure to relieve us, you will doubtless believe it incumbent on them to apply them. Now, Tho' the good Effects of the Regulations made some few years since, for retrieving the Credit of our Flour, which had once been in the highest Reputation, were for some time after very visible, yet whether from a Defect in the Law itself, or Negligence in executing it, I find our Merchants again heavily complain of the discouraging Accounts they receive from their Factors abroad, of the Badness of the greater Part of it that has of late been Shiped from this Port, I hope therefore, to mention this is sufficient to induce you to make a further suitable Provision for rendring effectual what was before so laudably intended.

"The frequent Shipwrecks in this Bay, occasioned chiefly, as 'tis said, by the Difficulty of its Navigation, have of late been the Subject of much Discourse. I find many are desirous, that according to the Practice of other Countries in the like Cases, Buoys should be placed, to mark out the Channels, and Pilots appointed, under proper Qualifications. This, 'tis conceived, would tend to the security of our Shipping and Increase of our Trade, and the Charge, in my Opinion, might easily be supported by a small rate, to be imposed on every Vessell, acccording to her Tonnage. I cannot, therefore, but join in likewise recommending a Proposal of this Nature to your Consideration.

"I hope it will be agreeable to you, Gentlemen, to know that the Chiefs of the Six Nations and Shawanese Indians, having, pursuant

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"to the Invitation given them, visited us last Fall, we have entred into "further Treaties with them for strengthening that Friendship which "has so long been preserved inviolable between them and us. And as "I cannot doubt but you are fully sensible the Continuance of a per- "fect good Understanding with the Indians, and our Endeavours to "improve it, contribute not only to our Security, but to the Advance- "ment of the British Interest in general, I perswade myself the Ex- "pence on this Occasion, tho' somewhat large, will be chearfully de- "frayed, especially when 'tis considered that for some years before "the Publick has been at little, if any, Charge on these Affairs.

"Gentlemen:

"The Assembly of the preceeding year having at their last ses- "sion, had the Pleasure of congratulating one of our Honourable "Proprietors on his safe and long wished for Arrival amongst us, the "Inhabitants of this Province may now, 'tis hoped, be made sensible "of the happy Effects of his Visit, by the Establishment of Property, "not only to those who previously had any just Rights to claim, but "also to others whose peaceable Behaviour may have recommended "them to his Regard."

E.

March 22d.

The House this day sent up to the Governor an Address in these Words:

"TO THE HONBLE. PATRICK GORDON, ESQR.

"Lieut. Governor of the Province of Pennsylvania, &c.

"THE ADDRESS of the Representatives of the Freemen of "the said Province in General Assembly mett:

"May it please the Governor:

"The Unanimity and good Agreement which has hitherto subsist- "ed between the Governor and the Representatives of this Province, "we hope will still continue, and be a means to promote the Publick "Peace and Welfare of this Government.

"At the same time we express our Satisfaction for the great "Blessings of Peace and Plenty our Mother Country enjoys, under "the Care and Vigilance of our Gracious Sovereign, King George, "we beg leave to say, we are very sensible of the Difficulties we la- "bour under through the great fall of our Staple, occasioned chiefly "for want of Markets abroad, the British Islands not being able to "consume the Produce of this and the other British Northern Colo- "nies; yet, as the Goodness of the Commodity will always recommend "it, we think it our Duty to apply our utmost Attention in considering "what the Governor has been pleased to lay before us on that Head, "and in the best manner we are able, to search out such Remedies as

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"may probably relieve us, by encouraging our Trade and promoting "a more advantageous Sale of our Country Produce in Foreign Mar- "kets. The Encouragement of Navigation we are sensible, is of "great Importance, and any difficulties that might interrupt or hinder "its Increase, call for our immediate Attention, but by what Informa- "tion we have hitherto received, the few Losses that have happened "appear to us rather to be owing to Misconduct than any uncommon "Difficulty or Danger in our Bay; Nevertheless, we shall not be "wanting in giving proper Encouragement to any Proposal that "may render the same less hazardous.

"The good Understanding which, by frequent Treaties, has been "maintained between the Six Nations and Shawanese Indians and this "Province, we cannot but think justly deserves our Acknowledge- "ment, for the continuing of which we shall chearfully discharge "what may be necessarily and reasonably disbursed for that End.

"As the Arrival of one of our Honourable Proprietors has been "justly attended with the joyfull Congratulations of all Ranks of "People of this Province, so we hope his Presence here will be the "Means of confirming the legal Purchasers in the quiet Possession "of their Lands, and of encouraging the peaceable and industrious "Planter to settle among us.

"Signed by Order of the House.

"A. HAMILTON, Speaker,"

E.

—

March 28th.

The Justices of Kent County, pursuant to the Directions sent them, having some time since transmitted to the Governor an Account of their proceedings in the Enquiry touching the Fray that had hapned on the Borders of the County, and the Affidavits of many Persons who had been examined by them; The Commissioners for running the Lines, &c., on the part of this Province, having likewise delivered to the Honourable the Proprietary, a Report of their Proceedings in February, which being communicated to the Governor, that he might be the better Enabled to answer the latter part of the Lord Baltimore's last Letter, A full Answer on both these Subjects was given his Lordship, by a Letter of this Day's date, in the terms following:

"My Lord:

"When I last had the Honour to write to your Lordship, I was "then in hopes I should have soon after been able to send your Lord- "ship a final Answer to yours of the 15th Ulto., but the fullfilling "my Orders to the Justices of Kent, necessarily demanding a good "deal of time, and afterwards being commanded by Our Honourable

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" Proprietor, now here, to lay before our Commissioners that part
" of your Lordship's Letter concerning their Conduct when last at
" Newcastle, and to hear what they should think fitt to say on the
" Subject, I have been obliged to defer my answer much longer than
" I expected, and your Lordship will give me Leave to say that the
" several charges in your Letter, both against this Government in
" General and our Commissioners in particular, make it unavoid-
" ably necessary to trouble your Lordship with a longer Letter than
" may be pleasing to you or agreeable to myself: But to be as brief
" as possible. In answer to the first part of your Lordship's Letter,
" I must crave Leave to refer you to the inclosed Copys of the Let-
" ter from our Justices of Kent to yours of Dorset, and of their An-
" swer, by which it will appear with what Candour ours proceeded
" in taking the Depositions about the Squabble that happened be-
" tween some of our People and yours at Cooper's house, in Dorset,
" of which your Lordship so highly complains. I have likewise
" sent inclosed to your Lordship Copies of the Depositions of several
" Persons taken upon that Occasion, amongst whom are some who
" call themselves your Lordship's tenants, and others who were no
" Parties in the Fray, and who must be supposed, being Persons
" unconcerned, the most likely to speak truth. These Affidavits,
" My Lord, were taken at different times and before different Magis-
" trates, and some of them in the presence of the High Sherif of
" Dorset County, and one Mr. Emalls, who, tho' much importuned,
" could not be prevailed upon to stay and hear the whole. But I
" hope they are taken, I am sure it was my Orders, with all due
" Impartiality, between which and those sent by your Lordship,
" there is this manifest Difference, that three of these last are Emit-
" ted by Persons of the same Name, Sullivan, in all likelyhood
" Brothers, and who, with the other two that have likewise deposed,
" were all Parties, and seem to shew a very high Resentment on
" their being beaten. Upon summing up the whole your Lordship
" will observe the facts stand thus:

" That the Land on which Newton was seated had been Surveyed
" under this Government sixteen years before this Fray; that the
" Possessors for many years paid their Levies to the same; that the
" shifting of Landlords, which on both sides has been disapproved, was
" from ours to yours, to the wrong of this Government; that the last
" Possessor discovering on a search for his Title, that he could claim
" none from Maryland, found it necessary for supporting his Right
" to own the Government by whose Authority it had been Survey-
" ed, because otherwise he would have none at all, and for this
" Reason concluded he had no Concern with Maryland nor Mary-
" land with him, that he defended himself upon his Plantation, and
" believed he had convinced the Officer of Maryland that he had
" good Right so to do; that being afterwards carried by force out of

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" it, and the Neighborhood having been treated with great contempt,
" insulted and bravoed by those of Maryland, who took him away,
" some hott fellows pursued the Challengers of their County, resolv-
" ing to have their Manhood tryed on both sides, but without any
" manner of Arms; made no Demand to have Newton, nor so much
" as saw him; Entered not Cooper's house without his Leave first
" freely granted; received the first blows, and only returned them
" till they had taken what they thought Satisfaction.

" Now my Lord, tho' I am far from countenancing boxing
" Matches, even upon the greatest Provocations, and your Lord-
" ship is sensible from the Copy of my Letter to our Justices, now
" in your Lordship's hands, how absolutely we disapprove of all
" such Proceedings; yet I hope it will not be expected, because
" your Lordship has thought fitt to call this scuffle by the name of
" a Riot, or a Levying of War upon His Majestys Subjects, (which,
" if it can mean any thing, must be High Treason,) that therefore I
" must allow it to be so, and in Consequence of that deliver up those
" heedless fellows, who had neither Riots or Treason in their heads,
" to be tryed for their Lives in Maryland. No, my Lord, I rather
" believe your Lordship will approve of my following your own
" Example as far as I am capable, of being as critically nice in
" point of Justice to His Majesty's Subjects under my Care as your
" Lordship is of the Protection of those under yours. And tho' I can-
" not help being of Opinion that this Affair, at another time, would
" not have been much regarded by the Government of Maryland,
" yet as things seem to be circumstanced at present, it is not very
" likely that your Lordship will allow this Government to be Im-
" partial Judges in the matter, nor that we should believe, after such
" Resentments shewn by your Lordship, that Maryland will be so.
" Now, as pursuant to my Order to the Justices, these Men are taken
" up and bound over to appear, if your Lordship will think fitt to joyn
" with me in a fair and candid Representation of the Case to our
" Supervisors at Home, where it will be more indifferently judged
" of, I am persuaded nothing can prove more acceptable to His
" Sacred Majesty, or be found more consistent with strict and Equal
" Justice; therefore this Proposal, as it is both reasonable and hon-
" ourable, cannot fail of giving your Lordship Entire Satisfaction.

" But pardon me, my Lord, if I cannot here avoid mentioning
" a very unpleasant Circumstance attending this Affair, which is,
" that it must appear exceeding strange to all indifferent Persons to
" find that after Newton having been suffered by the Magistrates of
" Dorset to pay his Levies to this Government for several years,
" if I mistake not, the time chosen for seizing and making him a
" Prisoner should be just upon or very soon after your Lordship's
" Arrival, when all Men might most reasonably expect from the
" solemn and pacifick Agreement between your Lordship and our
Proprietors, then with all speed to be executed, a final Period was

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" to be putt to all such unnatural Differences. The like observa-
" tion also holds on the Countenance given to those heinous and
" insufferable Insults and Abuses committed above Conestogoe, on
" the West Side of Susquehannah, in a place that neither is, was,
" or ever can be within Maryland. These, My Lord, are Points
" that must either have been managed without your Lordship's
" Knowledge, or otherwise must have a tendency to something time
" only can explain. This Government and yours, my Lord, have
" been Neighbors these fifty years past, they are the two most con-
" siderable Proprietary Governments in the British Dominions, and
" they ought, undoubtedly, for many Reasons, to maintain a friendly
" and mutual good Understanding with each other. We have labor-
" ed for this on our Side by all the just and reasonable Measures in
" our Power, why the contrary should now break out on your part,
" just on your Lordship's Arrival, is what will, I believe, appear
" astonishing to all lovers of Peace and of impartial Justice.

" But to proceed to the other part of your Lordship's Letter re-
" lating to the Conduct of our Commissioners when last at New-
" castle, especially where you are pleased to say that they have, in
" divers Circumstances, too plainly shewn a design to Violate the
" Measures entred into in that particular, and taxing them with a
" misbehaviour to your Lordship's Commissioners at Newcastle.

" This indeed, my Lord, is a very strange Charge on Men who
" have at other times been represented as exceeding fond of the
" late Agreement between your Lordship and our Proprietors, and
" abundantly proves what we could formerly very easily guess at
" from our first meeting your Commissioners, who then, as at other
" times since, would never allow any besides the Commissioners
" themselves to be present, and obstinately refused the admission of
" Clerks to take Minutes of our joint Proceedings, which if taken,
" would effectually have prevented such Misrepresentations as must
" have produced that Letter; wherein you are likewise pleased to
" say that our Commissioners wilfully and obstinately neglected to
" meet yours on the third of February, pursuant to the Adjournment
" on the Second. But to this, as well as the other Charges against
" our Commissioners, I think it will be most proper to give your
" Lordship for Answer a brief Extract of the principal facts con-
" tained in their Report to our Proprietor, after their return from
" Newcastle, which are these:—

" That on the first day of February the Commissioners on both
" sides mett at Newcastle, and agreed to meet again next Morning
" at ten o'clock, in a Chamber of the Court House; that our Com-
" missioners waited for yours above an hour after that time without
" any Complaint or Signs of Uneasiness, that your Lordship's Com-
" sioners renewed their former Objection about the Center of the
" Circle mentioned in the Articles, and tho' they had obtain'd of
" ours an Adjournment of three Months, on purpose to Consult your

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" Lordship (your Arrival being then daily expected) about fixing the " Center, as they pretended, yet after all this delay, when ours ex- " pected that yours had been fully directed in that point, they de- " clared that your Lordship having delegated your Power to them " by your Commission, would not interfere in their proceedings; " That both in the forenoon and afternoon of the same day, a very " extraordinary matter was offered by those of Maryland, that re- " quired, as 'twas said, some Consultation with Artists, upon which " an Adjournment being proposed, the hours of ten and Eleven next " morning were named: our Commissioners understood Eleven was " the hour concluded on, and had the good Fortune to be confirmed " in it by some of yours, but as they must have No Minutes, Each " it seems was left to his Liberty to hear or understand as he " pleased. That our Commissioners hearing about Eleven on Sat- " urday morning, that yours were gone to the Court House, three " of ours hastned thither, while the other two, of whom one was " then much indisposed by the Gout, were detained in finishing and " geting Copies transcribed of a Paper to be delivered to your Com- " missioners, in answer to the objection started; that one of our three " being called out to deliver a Paper, was desired to go and press " the other two to dispatch, the better to do which he staid with " them. During this stay, which they all agree was less than an " hour, those repeated declarations made by your Commissioners " of breaking up the Meeting for the Non-attendance of ours, as " your Letter says, must have been intended, which if so made, " were certainly unkind and ungenerous, Since it was neither " through slight to your Lordship's Commissioners or Disregard to " the Business, but pure respect to both, with an ardent desire to " do Justice to Reason and truth, that prevented them of the Pleasure " of waiting on yours Earlier. But my Lord, whatever Declarations " of this Nature might pass between your Lordship's Commissioners " themselves, I cannot find by the two Gentlemen who were left " at the Court House, viz: Messrs. Norris and Preston, whose Char- " acters are well known in Maryland, that any such Declarations " were made to them, further than that Mr. Ogle appeared impatient, " and said he would not stay, which your Lordship, in your Candour " will doubtless own, differs vastly from breaking up the meeting in " the acceptation such words are always used.

" But, my Lord, in the Representations made to you before writing " that Letter. we must conclude that you could not have then learn't " that immediately on your Commissioners leaving the Court House " ours applyed to them to return, urging that a good deal of Busi- " ness might still be done before dinner; that tho' your Commission- " ers absolutely refused to meet on business, yet those on both sides, " except the Gentleman that was indisposed. dined sociably together; " that ours were so exceeding nice in their Behaviour to yours, then " their Guests, that they did not mention one Word of what had

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" passed, nor so much as touched upon their Business; Yet that " after parting they were so mindfull of it as to apply again to yours " for a meeting, but your Lordship's Commissioners insisting that " they could not answer it to your Lordship to give up any advan- " tage gained by the pretended failure; and then dispersing them- " selves about the Town, as it were by design, Ours were obliged " to give them Notice, both by word and writing, to meet at the " Courthouse at six o'clock in the Evening, which being wholly " disregarded, our Commissioners again agreed to give new Notices " to meet on Monday following, and tho' access was denied to some " of your Lordship's Commissioners, Yet means were found to " serve three of them therewith, which they still continued so far " to Disregard that they all left Newcastle on Sunday & returned to " Maryland. Now as all these, My Lord, are real Facts, and Facts " your Lordship knows are obstinate things, My Respect for your " Lordship will not allow me to give you the uneasiness that would " arise on collating these with the several Expressions in your Lord- " ship's Letter, for you must then be sensible of the Inconsistency " there is between a zeal in your Commissioners hastning to New- " castle some days before they could, by the last Adjournment, have " any Business there, and their precipitant haste in leaving it when " the Business of their Commissioners was actually treating, and " our Commissioners very diligently applying to it. You would " further, also see what foundation your Lordship has to intitle " yourself to the forfeiture incurred, as your Letter says, by the " Commissioners of Pennsylvania, for we Conceive it is not possible " that your Lordship should not well know, or that you will imagine " we do not know, that no failure of an hour or two or three in meet- " ing the same day, can possibly incur the Forfeiture of a Penalty laid " in any such terms as that mentioned in the Articles is expressed " in, so that it may be easily discerned whose Commissioners they " are who, in divers Circumstances, have so plainly Shewn a design " to Violate the Measures entred into in that particular.

" As to the meeting proposed by your Lordship at Joppa, which " after a good deal of Enquiry, we are informed is a village of two " or three houses, Scituate on the West Side of Chesopeak Bay, and " about Sixty or Seventy Miles distant from Newcastle, which last " place, both by the Articles of Agreement and the Consent of your " own Commissioners, is allowed to be the only proper one for be- " gining the Work, Our Commissioners would have been glad to " have been told Seriously by your Lordship what Business they " can possibly have to do at Joppa; they conceive they can have " none that will call them within many Miles of it; and further add, " that having always behaved themselves towards your Lordship's " Commissioners with the greatest civility, even from a Personal " Regard for several of these worthy Gentlemen, they must consider " your Lordship's Insinuations of some things being attempted by

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"them upon your Commissioners, as a piece of Ridicule only.—"Upon the whole my Lord, Our Commissioners being of Opinion "that your Lordship has no Power to appoint a meeting, but that "this is wholly lodged in the Commissioners; and being conscious "to themselves that they accepted their Commission with a firm "Resolution on their parts to execute it with all the fairness, Can-"dour and Dispatch enjoyned by the Articles, and with all decent "Respect towards your Commissioners, have as a further Proof of "the Sincerity of their Intentions, (tho' by the great delays given by "your Commissioners the proper Season of the year for running "Lines, &c. in the woods is far advanced,) sent your Lordship's "Commissioners Notice to meet on the 16th of April ensuing, at the "Town of Newcastle, the place appointed, and where alone we can "begin to run the Circle mentioned in the Articles of Agreement.

"I am, My Lord,
"Your Lordship's most
"Obedient humble Servant,
"P. GORDON.
"Philadelphia, March 28th, 1734."

Addressed thus:
"To the Right Honourable
"The Lord Baltimore."

E.

SHEKALLAMY, with Chowagharisa, Tachnichtorous and Toutasariaga, coming to town on Saturday last, apply'd to the Governor (the Proprietor being then absent,) and acquainted him that he was charged with a Message to be delivered to the Proprietor, Governor and Council, and desired they might be dispatched as soon as possible.

The Proprietor returning to Town next day,

A Council was held at Philadelphia, June 18th, 1733.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lt. Governor.

Isaac Norris,
Samuel Preston,
Clement Plumsted,
Ralph Assheton,
Samuel Hasell.
} Esquires.

Shekallamy, with his Companions, being come, The Proprietor told him he was now ready to receive his Message; which by Conrad Weyser, the Interpreter, was delivered thus:

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That the Reason of his coming at this time proceeds from this, that in the late Treaties of Friendship that have been held with the Indians, one chief Article is, that if either they or we heard any ill News, Care should be taken to make it known to each other.

That two days before he left home, which is now seven days since, a Messenger came to him from the Ganawese Indians, who live between Pextan and Conestogoe, with an Account that they understood the Governor of Virginia was about to send a party of Armed Men amongst them to cutt them off, for a Murder committed in Virginia; and therefore, requesting the Assistance of all the other Indians to defend them against their enemies. But as he cannot believe that the Governor of Virginia would make War on these Indians without acquainting this Government with it, he is now come here to inform his Brethren of this matter, and to know of them what they have heard of it.

That last Winter, an Indian who lives in his Neighbourhood, named Katarioniecha, who is married to one Margaret, a Daughter of Mrs. Montour, came to him and asked whether he had not heard that the white Men designed to cutt off the Indians, he answered he had not; that on the contrary they had lately held Treaties, by which the Friendship and good Understanding between the white People and them was more firmly Established. The Indian replyed that the friendship of the white People was from the Mouth only and not from the Heart. That Shekallamy then asked him how he came to know this. He said it came to him under the Ground, (meaning privately) and added, that the Proprietor of Pennsylvania, Onas, whom they accounted their good friend, would have a chief hand in their Destruction.

Shekallamy being asked what he thought of this last peice of News, said that he thought the Story came from under the Ground of their own houses; that is, that it arose entirely amongst themselves.

Being asked if he had any thing further to add on the Murder said to be committed in Virginia, he said he had not.

He then proceeded to say:

That this Spring a white man came to Pextang from the South, and said that War was proclaimed by the white People living there against the Indians, and asked whether there was not yet any Appearances of War here?

Being asked if he himself saw this white Man or had the Account only from the Ganawese, he said he believed it came from these People.

He said he must now complain of Peter Cheaver, an Indian Trader.

That some of the Six nations, who were lately here, having taken away an old Canoe belonging to that Trader, he came to him and

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asked if these Indians had taken away that Canoe by his (Shekallamy's) Order; he said he knew nothing of it. That Cheaver then told him that those Indians are a parcel of idle, cheating fellows, that came without any Authority from their People; that they were not Chiefs, but loose fellows picked up from all parts; that the present given them was in Effect no other than robbing the Government of so much money, and that if they had been sent down with a proper Authority they would have brought a larger Present than two or three Skins. This Shekallamy said he must resent, as knowing that they were true and good men, whom by order of this Government he was sent to invite thither.

That since the Indian Traders were prohibited to bring Rum amongst the Indians, Peter Cheaver, beyond all others, has brought it in very large Quantities, and gives out that he will not regard the Orders of the Government on this head. That his Behaviour is such as gives just Apprehensions, some Mischiefs may happen if he is not called away from these parts. That formerly an Order was given to the Indians to stave Rum brought amongst them, but Cheaver threatens any Indian that shall offer to touch with his; that it is to be feared he may either kill an Indian or some Indian him. That Cheaver intends this Summer to go to Allegheny, contrary to what was agreed upon between this Government and the Six Nations last Fall, and by this means it will prove more difficult to bring the Indians from that part of the Country.

Shekallamy was desired to open himself freely about the Murder said to be committed in Virginia, and to tell his whole knowledge of that matter and his thoughts on it, that thereby the Affair may be the more truly judged of.

He said, in answer, that he can scarcely tell what to think of it; he was first told that the Ganawese had killed two white Men, he has since heard that Report contradicted; that one of the young men now with him, having been lately to the Southward, informs that there appeared some Traces of the Ganawese Indians on the Borders of Virginia. That these Indians have brought home some Scalps with them, which they say are of Indians, but he has not seen them; if he had, he could tell whether they were of Indians or white People; that he could say no more on this head, and had now nothing further to add.

He was told that what he had said should be considered, and they should be sent for to-morrow to receive an Answer.

June 19th.

A Council having been Summoned to meet this forenoon, the Messenger reported that several of the Members had desired to be

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excused because of unavoidable Business; so that James Logan & Clement Plumsted, Esquires, only, attended the Honourable the Proprietor & His Honour the Governor; who having consulted together on what had been delivered yesterday by Shekallamy, the Indians were sent for, and by the Interpreter told as follows:

That this Government is very sorry that the Treatment which it has always used, and the Regard it has always shown towards the Indians, have not been sufficient to prevent them from giving out such false Reports as those which have now been brought of ill Designs of the white People against the Indians; that surely they cannot be credited, that no good Man can believe them.

They must be evil People who have spread such Reports, and we are afraid these People who have raised them have some particular Design in so doing; and therefore, as they have Endeavored to impose them on others, It will become the Indians themselves to make Enquiry into them and discover the Authors of these Falsehoods.

That we have cleared the Road between this Place and the Six Nations, and have removed Every thing that may Encumber it.—That those must be accounted wicked People who would now attempt to stop it up.

That as these Reports appear to have come from the Ganawese, it is to be feared they have not behaved themselves well; that it will be necessary that Shekallamy, and the others with him, should go amongst these People and Enquire into these matters, and what they have been doing on the Borders of Virginia. That if one English man kills another he is punished for it, if he kills an Indian he is also punished; and therefore, if the Indians offend against the white Men they must likewise suffer for it.

That the doing of exact Justice is the foundation upon which all Governments Subsist; by it our treaties and Chains of Friendship have been kept bright and strong, and that these may not be weakned, it will be incumbent in the present Case, that some Persons should forthwith go among the Ganawese and make the strictest Enquiry possible into what has hapned, and send a true and faithfull Report of the whole.

Shekallamy said that our Words were good & reasonable, that Justice ought to be impartially done, and he would undertake to go amongst the Ganawese and make the Enquiry, as had been desired.

They were then told that in the afternoon they should be spoke to on the other Points of what they had delivered.

At which time the Proprietor, with the Governor & James Logan, Esquire, being mett, & Shekallamy with the Indians being come,

The Proprietor asked Shekallamy what he had resolved on touching the Journey to the Ganawese, which he had this morning undertaken to perform.

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He answered, that he believed it would be most proper for him first to go to his own home and take some People from thence with him; that if he should go from Philadelphia directly amongst these Indians, he might probably find them more Reserved; that having finished his Enquiry, he will go to Conrad Weyser, at Tulpahockin, and either relate it to him to be sent down hither in writing, or if it should be found to be of Consequence he will come hither and deliver it himself.

As to Shekallamy's Complaint against Cheaver, they were told:

That we understand he is gone to Allegheny, from whence he may be expected to return in two Months; we shall then take Care to deal with him for the Offence he has given.

Shekallamy is our good friend, and we expect he will endeavour to live in good Understanding with all our People, and Care shall be taken on our parts that no Person shall offend him without feeling our Displeasure.

Shekallamy then asked whether the Proprietor had heard of a Letter which he and Sassoonan sent to John Harris, to desire him to desist from making a Plantation at the Mouth of Choniata, where Harris has built a House and is clearing fields.

They were told that Harris had only built that house for carrying on his trade; that his Plantation, on which he has houses, Barns, &c. at Pextang, is his place of dwelling, and its not to be supposed he will remove from thence; that he has no Warrant or Order for making a Settlement at Choniata.

Shekallamy said that tho' Harris may have built a House for the conveniency of his trade, yet he ought not to clear fields.

To this it was answered, that Harris had probably cleared as much Land only as would be sufficient to raise Corn for his horses. Shekallamy said he had no Ill will to John Harris, it is not his Custom to bear any Man Ill will, but he is afraid that the Warriours of the Six Nations, when they pass that way, may take it ill to see a Settlement made on Lands which they have always desired to be kept free from any Persons settling on. He was told in answer that Care should be taken to give the necessary Orders in it.

Upon Shekallamy's Application, an Order was given him for 8 bushells of Wheat ground; there was likewise Ordered to be given to him and his Companions for their Journey home, 4 pounds Powder, 6 pounds Lead, 2 Gallons Rum, 14 pounds Bread, 6 pounds tobacco and a dozen of Pipes.

R.

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A Chief of the Ganawese Indians with some others of that Nation, coming to town and applying to the Honourable the Proprietary to be heard,

A Council was held at Philadelphia, Augt. 6th, 1733.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.
Clement Plumsted & Ralph Assheton, Esquires.

PRESENT ALSO:

ULLALOES, a Chief of the Ganawese Indians, with four others of that Nation, vizt: MENAHACHTAY, PEYOHINAS, WAAPEN & NAIMOT.

Ullaloes produced a Letter wrote at the desire of all of their Nation, by James Mitchell of Donnegal, signifying the Concern they are under that any of their Nation should be charged with killing any white People, and declaring their Innocence of the matter.

And then by the Interpreter said:

That a few Months since a Report was spread amongst them that the white People had charged some of theirs with the killing of two English Men; that they are sorry & ashamed that such a Report should be spread, for none of their People have done any such thing; that whenever their young Men go to War they are very careful to give them the strictest Caution not to hurt the English.

That last Winter when their young Men returned from War they brought with them the Scalps of two Indians they had killed, and gave Account that they had killed a third, but his body was taken away by his friends, so that they could not get his Scalp.

That the white People who live in their Neighbourhood have told them that the Governor of Virginia intends to come against them with a hundred Men to revenge the Death of those who are killed and supposed to be white People, and that the two young Men of their Nation must be delivered up.

They were asked where their young men had killed those Indians, and of what Nation they were?

They answered that it was done on the forks of a River lying to the Southward of James River, in Virginia, and that the Indians were of the Tootelaes; that they have seen the Scalps and know them to be of Indians, and are now to be seen in their Indian town.

Then delivering some strings of Wampum.

They add that they are extreamly concerned that any Suspicion should be entertained of them as if they had done any Injury to the white People, whom they look upon as themselves; t at they and the English are as one Heart, one Body, and one Person; therefore, to do hurt to the white People would be doing hurt to themselves.

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They were told that it could not but give us great Concern to hear such Reports; that we were extreamly carefull to do them Justice and to preserve a good Understanding with them, and we hope they will be equally carefull on their parts. That we are well pleased with their coming hither to satisfy us, and if they are Innocent, as by what they have said we hope they are, they have no need to fear any Resentment or to be under the least Apprehension, but if it should prove otherwise, Justice must be done upon the Guilty Persons.

That those People who live near them and give them so much Uneasiness by the Reports they have spread of the Governor of Virginia coming against them, have no foundation for what they say; they know nothing of the matter, and are not to be credited. If the Indians have not done amiss they have nothing to fear.

They said that what they had told was spoke sincerely—their tongues and Hearts go together; That they have nothing further to add, but having been at some Expence in their Journey hither they hope their Brethren will consider it. They were told Care should be taken of them, and somewhat given them before their Departure.

It was Ordered, that thirty Shillings be given them to defray their Charges on the Road, and that their entertainment in town be paid for.

E.

At a Council held at Philadelphia, August 7th, 1733.

PRESENT

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston, Ralph Assheton, } Esquires.
Clement Plumsted, Samuel Hasell, }

The Provincial Treasurer laid before the Board Sundry Accounts of money by him disbursed on Treaties with and Messages to the Indians, and desired that the same might be examined, & if approved, to be recommended to the Assembly of the Province now Sitting, that he may have Credit for the Sums in his Accounts.

'Tis Referr'd to Clement Plumsted, Ralph Assheton and Samuel Hasell, Esquires, to Examine the said Accounts & the Vouchers thereof, and to make Report of the same to the Board at next meeting.

E.

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At a Council held at Philadelphia, August 9th, 1733.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,
Samuel Preston,
Clement Plumsted,
Thomas Laurence,
Ralph Assheton,
} Esquires.

The Report of the Members appointed by order of the preceeding Council to examine the Accounts of the Provincial Treasurer, arising on Treaties with and Messages to & from the Indians, and to report thereupon, was this day read and is in these words:

" Pursuant to the Order of Council of yesterday, We have exami-
" ned the several Accounts of the Provincial Treasurer to us referr'd,
" and find the same to be as follows, vizt:

" 1731.

" June—" To the Carriage of 2 Strowd Matchcoats to " Shamokin, to be given to Sassoonan,			5
" Augt—" To Sundrys given to Sassoonan, Peasquito- " man and Shekallamy, who were sent for by " this Government, on the unhappy Accident " of Sassoonan's killing his Nephew, Shaka- " tawlin, & the Death of his other Nephew, " Opekassett,	8	13	
" Ditto—" To Six Strowd Matchcoats, edged with Silver " Lace, sent to the Chiefs of the Six Nations " with a Message by Shekallamy, inviting " them hither to treat with this Government " pursuant to the joint desire of the Govern- " or, Council and Assembly,	8	16	1½
" Ditto—" To Shekallamy, then setting out on his Jour- " ney to the Six Nations, Goods to the value " of 1 1 11 & in money 20s.	2	1	11
" Septr—" To a Strowd Matchcoat edged with Silver " Lace & 2 handkrs., sent with Messages to " a Mingoe Chief. p. Henry Smith, on the " above Account,	1	16	4
" Decr—" To Cash paid James Letort for Expences of " his Journey to Enquire after Shekallamy, " who had staid long beyond his appointed " time for returning,	2		
Carried Forward,	£23	12	4½

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	Brought Over,	£23	12	4½
" Decr—	" To Robert Charles for the Expenses by him " disbursed in a Journey to Conestogoe, by " Order of the Governor & Council, to for- " ward to the Indians at Allegheny several " Messages of Importance, touching the Re- " ports spread of their going over to the " French, and inviting them to come to Phi- " ladelphia to treat with this Government, and " for an Express sent to Susquehannah for " Edmund Cartlidge, who was the Bearer of " Messages, 4 17.—And we are of Opinion " that £5 be allowed to the said Robert " Charles for his trouble in the said Jour- " ney,	9	17	
" Ditto—	" To Cash ordered by the Board to be given " Shekallamy, who returning from the Six " Nations, brought their answer, with a small " Present of Skins, £10, but the same being " paid in Goods, amounted only to	9	8	11
" Ditto—	" To Cash by order of the Board paid Conrad " Weyser, who at Shekallamy's desire, at- " tended him from Tulpahockin hither,	2		
" 1732.				
" Augt—	" To the Expence of the Treaty with the Chiefs " of the Six Nations, their Entertainment and " the Allowances to Interpreters, &c. ordered " by the Board, as p. Account,	294	10	5
" Septr—	" To the Expence of the Treaty with the Shaw- " anese, their Entertainment, &c. as p. Ac- " count,	56	9	2
" Ditto—	" To 2 Stroud Matchcoats sent by Henry Smith, " with an Answer to a Message from the At- " tamoote Indians, a Nation living back of " Allegheny, who desired to enter into friend- " ship with this Government,	1	16	
" Octr—	" To Cash paid the Miller at Tulpahockin, for " 10 bushls. of meal delivered to Sassoonan, " then in want of Provisions,	1	5	
" 1732-3.				
" Janry—	" To a small Present made Kataweykeita, a " Shawanese Indian, who came hither to " visit Quassenungh a litle before his Death, " & was the Bearer of the Messages from " this Government touching his and Opa- " kethwas Death,	2	1	3
	Carried Forward,	£401	00	1½

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	Brought Over,	£401	00	1½
" Janry—	" To 2 yards black Cloth and a handkerchief, " sent with a Message to Kakowatchy, the old " Shawanese King, acquainting him with the " Death of his Son, Quassenungh,	1	13	9
" March—	" To the Charges of attendance, nursing & " funerals of two Shawanese Indians, p. Ac- " count £28 14 5, & to Dr. Thomas Gœrme, " their Physician, for his Medicines, Advice " and Care, p. his Bill £15,	43	14	5
	" To the Charges of entertaining Shekallamy, " accompany'd with three other Indians & " Conrad Weyser, Interpreter, who was sent " hither on a Message to this Government " touching the Ganawese Indians,	3	13	5
		£450	1	8½

" Amounting in the whole to Four hundred & fifty pounds one Shilling & Eight pence half penny.

" Out of which the Publick is to have " Credit for 27 pounds drest Deer " Skins, bro't by Shekallamy from " the Six Nations, a 3s.	4	1		
" 15½ pounds drest Deer Skins a 3	3			
" and 5½ pounds of Beaver, a 7s. " presented by the Chief of the Six " Nations at Philadelphia,	4	8	10½	
" 26 pounds drest Deer Skins, a 3	3			
" and one Elk, a 5s., presented by " the Shawanese at Philadia.	4	9	6	
			12	19 4½
" Balance due from the Province,		£437	2	4

" All which is humbly submitted by

" CLEM. PLUMSTED,
" RA. ASSHETON,
" SAML. HASELL."

" August 8th, 1733."

The Board on the due Consideration of the said Report, approve thereof, and It is Recommended to the Assembly that they order the Balance of £437 2 4, to be passed to the Credit of the Provincial Treasurer in his Accounts.

E.

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August 11th.

The Governor having, with no small Surprize, understood that some Objections had been started in the House of Representatives, to his Powers as Lieutenant Governor, for want of a new Commission with His Majesty's Royal Approbation from our present Honourable Proprietaries, and that the House for this Reason (tho' they were not willing to assign it publicly,) did not incline to proceed on any Act of Legislature, a Council was summoned to meet this forenoon to assist his Honour with their Advice on this Occasion. But a Quorum of them not coming together before a Message was brought to the Governor from the House by four of the Members, with an Order payable to him as Lieutenant Governor, for Four hundred pounds, the Remainder of the current year's support, and to acquaint him that they intended to rise this forenoon, the Governor determined to lose no time in sending down a Message in writing, to bring them to an Explanation on this important Affair. For as not only by the Law of this Province, pass'd the 10th year of Queen Ann, Entituled An Act for the further securing the Administration of the Government, all the Powers of Government stand fully confirmed in the Deputy on the Death of his Constituent, till further Order from Her Majesty, Her Heirs and Successors, or the Heirs of the said Proprietary and Governor in Chief, which shall first happen; but in the present Case those Powers are further strengthned by Instructions relating to the Affairs of Government, issued since the Demise of the Governor's Constituents, to witt: in December, 1731 and March, 1732, under the Signet and Royal Sign Manual of His present Majesty, directed to the Governor by the Name of "Our trusty and well-beloved Patrick Gordon, Esquire, Deputy Governor of Our Province of Pennsylvania. in America." The Governor, therefore, could not but conclude that so unaccountable an Obstruction to the Publick business of the Province, could arise only from a Design to do him a particular Injury, and to introduce Confusion in the Administration.

The Message in writing sent down to the House from the Governor by his Secretary, is in these Words—

"Gentlemen:

"I am under some Concern to find that your House is inclined to "rise and leave several matters of great Importance to the Country "unfinished.

"I was in hopes that pursuant to your Resolves made the former "session, you would have now revived the Excise on Liquors, "which is not only a necessary fund for the discharge of the public "Debt, but being re-established, may give a seasonable Check to "that Looseness and Debauchery which begins and will continue "to overspread the Province by the unlimited number of the Re-"tailers of Rum and Increase of Dram Shops.

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" The repeated Complaints of the Merchants touching the Abuses " in our Flour, deserve likewise, to be considered by proper Amend- " ments to the Bill, now in force, for regulating that great Branch of " our Trade.

" These are Points that nearly affect us, and it would be very sat- " isfactory to me to know what it is that prevents your House from " entring into the Consideration of them at this your present meeting.

" P. GORDON."

About noon two Members of the House, to witt: John Wright and Samuel Blunston, waited on the Governor, and acquainted him that they were sent, but not as from the House, only as friends, to the Governor, to lett him know that the House were under some Uneasiness touching his Message; that they were well inclined towards the Governor, and unwilling to enter into a Contention, and therefore, it would be agreeable to them if the Governor would please to withdraw his Message.

This mysterious Management heightning the Governor's Suspicions of the ill Designs of some particular Persons, he declined giving any Answer to this verbal Message, till he should, in the afternoon, meet the Council, whom he had ordered to be Summoned, and desired those Members of Assembly then to attend him.

P. M.

At a Council then held at Philadelphia.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Ralph Assheton,	} Esq'rs.
Clement Plumsted,	Samuel Hasell.	

The Governor acquainted the Board fully, with the Transactions of this morning, as contained in the foregoing Narrative, and his written Message to the House being read, and the verbal one by John Wright and Samuel Blunston imparted. On due and Serious Consideration of all which, the Members were unanimous in delivering their Sentiments to the Governor, that he ought by no means to recede from his Message, which it was to be hoped, would oblige the House to come to an Explanation on a Point that might have Consequences so injurious to the Peace and good Order of the Government.

Pursuant to which Resolution, John Wright and Samuel Blunston were told by the Governor, that they might say to those that sent them:

That it was with a View to the Good and Peace of the Country that he sent his Message of this forenoon: if it was misinterpreted

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by the House he was sorry for it, but that before he could think of receding from it he must well consider that Matter.

About nine o'clock at night, Israel Pemberton and Robert Jones, two Members of the House, waited on the Governor, and delivered from the House an unaddressed & unsigned Paper in these Words:

"Upon due Consideration of the Governor's Message of this day, "it is the Opinion of the House, that forasmuch as we have great "Reason to believe the Governor was well acquainted with the Diffi- "culties the House laboured under, as to their proceeding in prepa- "ring Bills to be passed into Laws, at their Sessions in March last, "and the same Difficulties still continuing, and the House having "now sett a whole Week, and not hearing from the Governor untill "they had agreed to adjourn, they are humbly of Opinion the "Message is unseasonable; and that entring into a further Examina- "tion of the Reasons why we do not proceed upon business at this "time, may not be agreeable to the Governor; and therefore, the "House adheres to their former Resolution of adjourning to the 30th "day of September next."

The Governor told these Members that it was too late in the Night to give a Reply in writing, but directed them to say to the House from him: That no time is unseasonable to do the business of the Country, nor will it be disagreeable to him to hear Truth, and that he will make a Reply to their Answer.

The House, without taking Notice of this verbal Message, or so much as entring it on their Minutes, tho' it was actually reported to them, adjourned to the last day of their Term.

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August 15th.

Hetaquantagechty who, at the last Treaty with the Indians of the Six Nations was their Speaker, and Shekallamy, coming to Town this day, accompanied with Conrad Weyser, the Interpreter, and having waited on the Proprietor and Governor, gave them to understand they had a Message to deliver, for receiving which a Council was appointed next day, and accordingly

At a Council held at Philadelphia, Aug. 16th.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.

The Honourable PATRICK GORDON, Esqr., Lt. Governor.

Ralph Assheton, } Esquires.
Samuel Hasell. }

And these two Indians:

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Hetaquantagechty by Conrad Weyser the Interpreter, said:

That he comes hither from the Six Nations on a Message touching the Treaty held here with them the last fall; that while he was on the Road hither he was greatly troubled to hear from Shekallamy, that a Report had been spread that some of the Ganawese Indians had killed two white Men on the Borders of Virginia; that he has made Enquiry into it jointly with Shekallamy, who he understands had Orders from this Government for that End, and before he proceeds to deliver the Message that he was sent upon, he is willing to clear up to his Brethren this other Affair, that their Hearts may be easie.

That Shekallamy had been at the Ganawese Town, and had made strict Enquiry into it, and found the matter to be thus:

That some of these Indians having gone to War to the Southward, and killed three Indians of the Nation of the Tootelaes, otherwise called Chaponick, they scalped two of them, and returning homewards they met with a Delaware Indian who had some Rum; that drinking together they fell out, and the Delaware Indian having given some provocation was beaten, who having known from them that they had scalped two Indians, gave out in Revenge that those Scalps were of white People, and that these Ganawese had cutt off some white Men in Virginia. That this Delaware man thus spreading the falsehood wherever he came, had been the only occasion of this groundless Report, which has not any manner of Foundation, and could only arise from a bad Spirit, that would endeavour to break in upon the Friendship which had been of late so firmly established between the English and all the Indians. He therefore hopes his Brethren will give no Credit to it for that the Six Nations would certainly order the Persons, if guilty, to be punished, and hereupon he delivered some strings of Wampum.

Shekallamy being asked if he had seen the Scalps, and whether he does not believe them to be of Indians, answered; That having heard the Detail of the Fact (as now delivered) from the Ganawese, he demanded to see the Scalps, which were accordingly brought to him; that he examined them carefully, and from the Marks upon them, of their hair being in some places pulled out, of its being greased and tied up in a small bundle on the top of the head, after the Indian manner, he is very positive that these Scalps are of Indians.

Hetaquantagechty then proceeded and said, that there has been a very great Sickness amongst the Six Nations, which they apprehended would have almost destroyed them, and for that Reason they could not come together to consult on what was mentioned to them here last Fall. That before he came from home, a general meeting of these Nations was appointed at Onandagoe, and many of them were accordingly mett there; that it is now a long time since they have

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held so genral a Meeting, and they have much Business under their Consideration, which will prevent them from coming to Pennsylvania this Fall, to give an answer to what had been said to them, and lest the Delay should bemisinterpreted or takenill, he was dispatched from amidst that great Council, to acquaint their Brethren here with the Reason of it. And on this he delivered some more string of Wampum. And added that he believed they couldnot come hither till next Spring.

That this is all he had in Charge, and is the sole Occasion of his Journey, and having now delivered himself of it, he thinks to return speedily, unless his Brethren have any thing to say that may detain him.

He was told that what he said is very agreeable, and is well taken, and that to morrow an answer would be given them, and they should not be long detained.

The Proprietor & Governor drinking a friendly glass with these Indians, Hetaquantagechty said, that having finished the business of this Message, he would talk a little about News. He then proceeded to say by the Interpreter:

That the French were at War with a Nation of Indians called Quaquessegh-roona, whom not being able to conquer, they sent to a place called Tioghsaghrunti, lying to the Westward of the lake of Niagara, seven days' Journey from the Tsanandowans, for 300 Indians to assist them in the Conquest, who accordingly joyned the French: that as these Indians, under the Conduct of a French Officer, were marching along, they came to a hunting town beloning to the Onechkarayagoe-roona, where the French Officer seeing a Bark Canoe show'd an Inclination to purchase it, and having some Rum with him of which the Indians appearing fond, they said he might have it for a little of that Liquor; the Officer having given the Owner of the Canoe three small Cups of Rum, took the Canoe. But the Indian thinking he had gott but very little for it, said he must have somewhat more, which the Officer refusing to give, some Words arose, whereupon the Officer drew his Pistol, and shott the Indian, who was a Captain in great Esteem amongst the Onichkaryagoes; the Officer then taking with him the Canoe, went towards the French fort of Niagara, where they understood he was even very abusive to the French in that place who had probably found fault with him for what he had done, and that he is since gone to Canada.

That the Indians resenting this Abuse are now mett together, and have it under their Consideration how to behave in this Affair, and he apprehends it will occasion a War with the French; that the Onichkaryagoe Indians will endeavour to bring the Six Nations into their Quarrell, but whether they will join with them or be only Mediators between these Indians and the French, he cannot yet say.

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That two Detachments of French are gone out with Design as 'tis believed, to make War on the Indians; that the French have always some War on hand, but they appear more bent on it now than ever. That there are two Nations of Indians with whom they have long waged War, the Sigaserach-roona and Quaquontse-roona. That the French have sentfrom Montreal for Tiochtachkout, a Captain of the Tsanandowas, who on his return will give certain Intelligence how the French stand affected towards the Indians. That many of the Allies of the Six Nations have been cutt off by the Small Pox; that there was never known so great a Mortality amongst them as of late.

That this is all the News he has now to tell, and should be glad to know if his Brethren can inform him of any that they have learnt.

He was told that the English were in Peace with all Nations; that the Great Kings of England and France were in Peace with each other, and that we had no news of any Importance to acquaint them with.

He said that the Indians had understood several of the English Governors on the Continent were to meet at New York, and that a meeting of such great Men together, had raised their Curiosity to know what it could mean.

They were told we knew of no such Appointment. We had heard that some of the Governors to the Southward intended to travel this way, but we believed it was only to pay friendly Visits to their Brethren in these parts.

Thus the Conversation ended.

August 17th.

The Proprietor, Governor, and some Members of Council being mett, the Indians were sent for, and by the Interpreter spoke to as follows:

Brethren:

We are well pleased to see you, our good friends, Hetaquantagechty and Shekallamy; you are very welcome to us. We have considered what you have said, and it is to our good liking. Four of the Ganawese Indians came lately here to Satisfy us of their Innocence of that wicked Charge which some ill minded Persons had loaded them with, and they related the whole matter agreeable to what you have now delivered, so that we have no Reason now to entertain any ill thoughts of them. We believe they have been wronged, and are very sorry that there should be any Person so ill inclined as to raise a Report that might create the least Misunderstanding between the Indians and us. You have done, however, as true

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friends and brethren ought to do; you have enquired into the matter and satisfied us further. We now think no more of it.

We desire that Hetaquantagechty on his return to the Six Nations may tell them, that we are sorry to hear of the Sickness that has raged amongst them, and are glad it is now over. We take kindly their sending to acquaint us with the Reason why they connot visit us this Fall, and return an answer to those Articles on which we treated together last fall. As they are now all mett together in a great Assembly, we hope their Councils will be directed aright to their own Peace and Good, & to the further Improvement of that good Understanding which has so long continued between them and all the Subjects of the Great King of England. And having now the Opportunity of Hetaquantagechty, who expects to gett to Onandagoe before their great Council rises, We must desire him to putt their Chiefs in mind that at our last Treaty we made it one Article: That they should give the strictest Directions to their Warriours, who are often too unruly, not to come amongst or near to the English Settlements, and especially that they should never, on any account, rob, hurt or molest any English Subjects whatsoever, either to the Southward or else where. We are now sorry to tell them that some of their Warriours passing near to some English Settlements at Pextang, about the beginning of this Month, have behaved themselves very disorderly; they killed several Hogs, cutt down Corn, and threatned to do further Mischief.

We hope at their Great Council, they will take effectual Care to prevent, for the future, the like Abuses; for we must be just and true in all things, to each other, as becomes true friends and Brethren, who have one & the same Interest.

Hetaquantagechty said he had been informed that some Sows had been lately killed at Pextang, but it was not done by the Indians of the Six Nations, for none of their Warriours have been lately that way; he understands it was done by some of the Shawanese.

He was told it might be so: the Information in that point might be wrong; but as the Six Nations have the Command over all the Indians, it is in their Power to prevent abuses of this Sort, and we hope they will give Orders accordingly.

They were then told that a small Present would be given them for their trouble, and that we had nothing further to add, but to wish them a safe Journey homewards.

Whereupon, the Indians taking Leave of the Proprietor and Governor, departed.

It was ordered that forty Shillings be given Shekallamy, and Goods to the value of thirty Shillings to Hetaquantagechty, and that the Treasurer pay the same, together with the Charges of their Entertainment.

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At the Courthouse of Philadelphia, August 17th, 1733.

PRESENT:

The Honourable the Lt. Governor.
With severals of the Magistrates.

Ninety Palatines, who with their Families, making in all Two hundred & ninety one Persons, were imported here in the Ship Samuel of London, Hugh Percy, Master, from Rotterdam, but last from Deal, as by Clearance thence, this day took & subscribed the Effect of the Government Oaths, & also the Declaration prescribed by the Order of Council of the 21st of September, 1727, & their Names are as follows:

Hans Peter Frey,
Johan Leuistanwallnor,
Hans Georg. Strohaver,
Elias Tayler,
Abraham Koen,
Fredrich Koen,
Johan Johan Zimmer,
Jacob Rausher,
Christian Krops,
Henrich Bishof,
Hans Jurg Ruck,
Hans Georg. Ruck,
Hans Jacob Ruck,
Peter Koentz,
Hans Jacob Ridt,
Hans Leonard Lechner,
Hans Jurg Peck,
Andreas Frey,
Friedrich Lieby,
Friedrich Aldorfer,
Michael Smiet,
Matthias Ley,
Hans Peter Bristell,
Michael Sturtzebach,
Hans Melchier Fries,
Hans Wervell,
Hans Jurg Wervell,
Martin Shibe,
Hans Leonhart Wolf,
Hans Casper Joost,
Solomon Miller,
Hans Wolf Eiseman,
Hans Jacob Hoff,
Hans Jacob Matthis,
Johan Leonhart Weyss,
Johan Jacob Crisinger,
Johan Philip Hetser,
Gilian Schmied,
Christian Lausel,
Hans Casper Eiseman,
Malcher Wagner,
Justus Simonius Wagner,
Hans Jacob Kummerlin,
Hans Adam Lang,
Michael Probst,
Johs. Michael Probst,
Hans Georg. Zoller,
Johan Casper Korber,
Johan Henrich Fisher,
Andreas Wagener,
Johan Koofman,
Johan Henrich Adam,
Johan Wilhelm Fisher,
Casper Muhlhaus,
Andreas Weltz,
Hans Casper Brenner,
Jacob Fegley,
Johan Lorig,
Johannes Shnap,
Lorentz Shnap,
Martin Wonner,
Henrich Peter,
Peter Hansminger,
Johan Conrad Kempf,
Christian Kempf,
Gilbert Kempf,
Henrich Rohd,
Peter Cornelius,
Jacob Gerkehouser,
Nicolas Kan,
Hans Leonhart Emiger,
Marcus Klein,
Johan Peter Knoble,
Elias Hasele,

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Henrich Aller,
Peter Haller,
Johan Caspar Schafner,
Jacob Kraler,
Peter Drochsel,
Ulrick Flichrer,
Hans Adam Frickrott,
Henrich Fesseler,
E.

Lorentz Syboot,
Hans Bernhard Trossell,
Henry Meder,
Christian Danner,
Caspar Martin,
Hans Peter Mock,
Valentine Snyder.

At the Courthouse aforesaid, August 27th, 1738.

PRESENT:

The Honourable the Lt. Governor.
And severals of the Magistrates.

Fifty eight Palatines, who with their Families, making in all One hundred & seventy two Persons, were imported here in the Ship Eliza, of London. Edward Lee, Master, from Rotterdam, but last from Dover, as by Clearance thence, were qualified as before, & their Names are:

Johannes Krichner,
Johan Philip Sover,
Johannes Mehn,
Johan Michl. Grovul,
Johan Georg. Petry,
John Hendrich Shitts,
Conraad Shoot,
Johan Philip Foust,
Michael Ruht,
Johan Henrich Tenich,
Corab Hetrich,
Henrich Stens,
Hans Peter Hoffman,
Johannis Young,
Johan Peter Foust,
Johan Philip Foust,
Jacob Michael Eibe,
Ulrich Shoe,
Jacob Shuh,
Johannis Loats,
Matthias Whiedman,
Henrich Still,
Simon Linder,
Simon Linder, Junr.
George Friedrich Onsell,
Michael Faeber,
Aran Spogener,
Stephan Lauman,

Hans Yerech Perger,
Jacques Bonnett,
Wolfgang Mullar,
Jacob Mullar,
Simon Schearman,
Jurig Shearman,
Johannis Knoll,
Jacob Koobler,
Frantz Weiss,
Johan Dobalt Troud,
Jurich Ore,
Johannes George Oder,
Jacob Server,
Jacob Server, Junr.
Rudolph Server,
Jacob Housenwart,
Jacob Henrich,
Johan Henrich Tabas,
Jacob Zittell,
Johan Philippus Smitt,
Hans Jurg Nordt,
Jacob Dillinger,
Andreas Klipsedle,
Georg. Henrich Murtz,
Johan Ulrich Cool,
Johannis Fageley,
Henrich Stricker,
Michael Ranhard,

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Balser Mets, Hans Jacob Mets.
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At the Courthouse aforesaid, August 28th, 1733.

PRESENT:

The Honourable the Lt. Governor,
With Severals of the Magistrates.

Eighty four Palatines, who with their Families making in all Two hundred & twenty six Persons, were imported here in the Ship Hope, of London, Daniel Ried, Master, from Rotterdam, but last from Cowes, as by Clearance thence, were qualified as before, & their Names are:

Ulrich Wisseler,
Ulrich Rheinhart,
Hans Grumbacher,
Hans Stayman,
Peter Stayman,
Hans Stayman, junr.
Christian Stoudar,
Hans Rat,
Nicholas Timberman,
Hans Timberman,
Joseph Fleure,
Joseph Fleure,
Johannis Fleure,
Christian Kur,
Michael Whitmar,
Ulrich Whitmar,
Peter Whitmar,
Peter Esleman,
Christian Esleman,
Ulrich Loninacre,
Ulrich Loninacre, Junr.
Jacob Loninacre,
Jacob Burcki,
Hans Snabley,
Christian Blank,
Hans Georg. Weidnar,
Hans Georg. Brimmer,
Fredrich Becker,
Jacob Lochbaum,
Rudolph Brock,
Christian Reblet,
Barnard Keller.
Conrad Rouf,
Jourg Richter,
Henrich Shmiet,
Peter Arant,
Daniel Rott,
Hans George Wyneck,
Frantz Ratseil,
Andreas Louck,
Herman Arand,
Johs. Henrich Noumich,
Johan Adam Retsel,
Hans Georg. Crylberger,
Johan Leond. Stain,
Hans Jurg Kohler,
Johan Michl. Beyss,
Hans Jurg Hofnam,
Peter Schmid,
Johan David Dupshler,
Johan Jacob Meckli,
Johan Eorl Grop,
Bastian Teyster,
Henrich Humberger,
Hans Leond. Humberger,
Peter Seyler,
Christian Yoniley,
Andreas Besinger,
Georg. Henrich Kneyeman,
Georg. Michael Fraitter,
Hans Jurg Gobal,
Hans Jacob Guber,
Johan Christopher Cunnaway,
Johan Adam Simon,
Abraham Miller,
Jacob Bart,
Henrich Tace,
Benedick Wise,
Martin Spittlemayer,
Hans Adam Spittlemayer,

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Michael Ably,
Jacob Robman,
Wilhelm Krans,
Henrich Fegeley,
Matthias Fegeley,
Barnard Fegeley,
Hans Michl. Stenbard,
E.
Stephen Slunaeker,
Abraham Grautter,
Hans Jacob Shumbur,
Daniel Haselman,
Rudolph Shnebley,
Hans Michl. Shreyack,
Jacob Shreyack.

At the Courthouse aforesaid, September 18th, 1733.

PRESENT:

The Honourable the Lt. Governor,
And Severals of the Magistrates.

Sixty seven Palatines, who with their Families. making in all One hundred eighty seven Persons, were imported here in the Briganteen Pennsylvania Merchant, of London, John Stedman, Mr., from Rotterdam, but last from Plymouth, as by Clearance thence, were qualified as before, & their Names are:

Johan Klem,
Gotleb Klem,
Georg. Sholts,
David Sholts,
Andreas Moseman,
Christian Moseman,
Hans Burkhard,
David Burkhard,
Johan Schonfeldt,
Johannes Naiis,
Peirre Marot,
Adreas Kleym,
Jacob Kleym,
George Shait,
Johannes Riegel,
Johs. Riegel, Junr.
Daniel Riegol,
Andreas Oullenbacher,
Johan Valentine Presel,
Michael Walter,
Carolus Burkhard,
Johan Philip Weynandt,
Jacob Knop,
Jacob Ott,
Johan Michael Ott,
Lutwig Eva!d,
Michl. Ludwig,
Daniel Ludwig,
Philip Smeyer,
Alexander Casser,
Pieter Roodt,
Hans Lauer,
Matthias Kish,
Johan Michl. Stoudt,
Johan Just Ulveyn,
Philip Angulberger,
Micheal Seydbender,
Johan Daniel Endt,
Johan Valentine Endt,
Johan Peter Sayling,
Adam Volimer,
Hans Georg. Winter,
Hans Martin Sauter,
Frederich Gotz,
Johannes Mihm,
Peter Smit,
Johan Adam Beyer,
Joh Christo. Yslebach,
Michael Kelchner,
Georg. Bartol Sheffer,
Paulus Sheffer,
Andreas Vry,
Bernhard Maus,
John Ludwig Sees,
Andreas Boyer,
Hans Georg. Hauk,
Peter Straub,
Johan Jacob Karse,

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Christian Hook,
Hans Jorg Grondt,
Jerg Adam Koch,
Fredrich Glass,
Johannes Gordner,
E.

Matthias Beichler,
Justus Osterut,
Johan Georg. Groom,
Hendrich Smit.

At the Courthouse aforesaid September 28th, 1733.

PRESENT:

The Honourable the Lt. Governor,
& Severals of the Magistrates.

Forty three Palatines, who with their Families, making in all One hundred thirty seven Persons, were imported here in the Briganteen Richard & Elizabeth, of Philadelphia, Christopher Clymer, Master, from Rotterdam, but last from Plymouth, as by Clearance thence were qualified as before, & their Names are:

Frantz Schuller,
Jacob Grib,
David Mertz,
Hans Michal Mertz,
George Leap,
Johan Conrad Leap,
Philip Jacob Edelman,
Matthias Bousser,
Matthias Bousser, Junr.
Philip Mire,
Christian Bousser,
David Edelman,
Adam Spohn,
Jacob Hennel,
Michael Wise,
Johan Georg. Shufard,
Johan Yost Heck,
Jacob Huntsider,
Hans Jacob Lebegood,
Jacob Herman,
Hans Jacob Uts,
Hans Jurk Uts,
E.

Hans Peter Somey,
Hans Jacob Somey,
Hans Peter Somey, Junr.
Otto Fredrick Somey,
Joseph Shumaker,
Ulrick Burghalter,
Johan Nicol. Segar,
George Schenemansgruber,
Matthias Beck,
Johannes Wollett,
Henry Winterberger,
Hans Sherer,
Jacob Krist,
Marcus Krist,
George Angsted,
Marcus Bigler,
Philip Duderman,
Johannes Weber,
Johannes Rosensteel,
Abraham Wootring,
Matthias Rehsh.

At the Courthouse aforesaid, September 29th, 1733.

PRESENT:

The Honourable the Lt. Governor,
& Severals of the Magistrates.

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Thirty four Palatines, who with their families, making in all One hundred & Seventy Persons, were Imported here in the Pink Mary of Dublin, James Benn, Master, from Rotterdam, but last from Plymo. as by Clearance thence, were qualified as before, & their Names are:

David Karker,
Hans Georg. Horlocher,
Gottfried Riech,
Johannes Yorde,
Andreas Dries,
Cornelius Dries,
Peter Dries,
Johan Adam Dries,
Jacob Spingler,
Peter Hite,
Elias Strickler,
Johannes Strickler,
Johan Michael Noll,
Philip Thomas Trump,
Henrich Sower,
Johannes Wingertman,
Christian Blaser,
Johannes Teutscher,
Joh. Peter Teutscher,
Johan Georg. Ribble,
Jacob Frank,
Johan Arnold Billig,
Fredrich Funk,
Michael Friedly,
Johannes Reichenbach,
Nicolaus Sowter,
Johan Martin Brown,
E.

Andreas Nay,
Philip Jacob Rothrock,
Johannes Rothrock,
Christian Sooter,
Hans Michael Hammer,
Johan Michael Teel,
Georg. Pfaffenberger,
Jurk Pfaffenberger,
Jurk Derey,
Christian Retelsberger,
Jacob Hoffman,
Fredrich Durflinger,
Asimus Rambach,
Hans Michel Keller,
Jacob Berkel,
Hans Jacob Berkel,
Nicolaus Mauritz,
Baltzer Breuninger,
Johan Adam Werner,
Jorg. Fredrich Kehler,
Peter Apple,
Johan Peter Kettall,
Johan Jacob Gehtel,
Johannes Lap,
Johannes Slabach,
Johan Henry Slabach,
Jacob Lesher.

At a Council held at Philadelphia, Oct. 4th, 1733.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris,	Thomas Laurence,	} Esquires.
Samuel Preston,	Ralph Asshetor,	
Clement Plumsted,	Samuel Hasell.	

The Governor acquainted the Board, that having received the Returns of the Elections of Sheriffs & Coroners for the ensuing year, throughout the several Counties of this Province, he had Summoned

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a Council to meet yesterday, to advise him in his Nomination to those Offices. But a Quorum of the Members not coming together, he had proceed to appoint the following Persons to witt:

For the City and County of Philadelphia. Septimus Robinson & Andrew Robeson, being returned for Sheriffs, and Owen Owen and John Roberts for Coroners; Septimus Robinson was appointed Sheriff, & Owen Owen Coroner.

For the County of Bucks. John Hart and John Hall being returned for Sheriffs, and Willam Atkinson & Benjamin Field for Coroners, John Hall was appointed Sherif & William Atkinson Coroner.

For the County of Chester. John Parry & Richard Jones, being returned for Sheriffs, and Anthony Shaw & Robert Park for Coroners; John Parry was appointed Sherif and Anthony Shaw Coroner.

For the County of Lancaster. Robert Buchannan & David Jones being returned for Sheriffs. and Joshua Lowe and Samuel Bethwell for Coroners, Robert Buchannan was appointed Sherif, and Joshua Lowe Coroner.

And Commissions were ordered to them on their giving Security as the Law directs.

The Governor then laid before the Board the Return from the County of Newcastle, of the Election of John Gooding & Henry Newton for Sheriffs, & His Honour representing that though he entertained a good Regard for the former, who had behaved well in his Office, yet as he had been Sherif of that County four times within these last Seven years, and that the latter had now been thrice returned Successively, and still rejected, he was inclined to favour Newton, by making Tryal of him for the ensuing year; that being sensible an Objection had been formerly made to Newton, on Account of his Circumstances, he was therefore desirous to have the Opinion of the Board herein. It was upon this observed, that if Newton could give good Security for the Execution of the Office, as he said he was well able to do, that Objection would be fully answered; but some of the Board being of different Sentiments, the Voices of the Members were taken, & Messrs. Norris, Preston, Laurence and Assheton declaring for Newton, & Messrs. Plumsted, & Hasell only, for Gooding, the former was appointed, and a Commission was ordered to him accordingly, he giving good Security in the manner directed by the Laws of the Counties.

Henry Gonne and Robert Robertson being return'd for Coroners for that County, the former is appointed to that Office.

A Return of the high Road lay'd out from the town of Lancaster in the County of Lancaster, pursuant to an Order of this Board, bearing date the 29th day of January 1730-1, being this day read in these Words:

"To the Honourable Patrick Gordon, Esqr., Lieut. Governor of "the Province of Pennsylvania, in Council.

"WHEREAS, upon the Petition of the Magistrates, Grand Jury

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" and other Inhabitants of the County of Lancaster, presented to the " Governor in Council, praying that proper Persons might be ap- " pointed to view and law out a Road for the Publick Service, " from the Town of Lancaster, till it should fall in with ye " high Road leading to the Ferry of Schuylkill, at High Street, " and that a Review might be had of the said Publick Road in the " County of Chester.

" The Prayer of which Petition being granted, it was ordered that " Thomas Edwards, Edward Smout, Robert Barber, Hance Graaff, " Caleb Pierce, Samuel Jones and Andrew Cornish, of the County " aforesaid, or any five of them, should view and lay out by Course " and Distance, a Convenient high Road, from the Town of Lancas- " ter, to the Division Line between the said County, and the County " of Chester, and that Thomas Green, George Aston, William " Paschall, Richard Buffington, William Marsh, Samuel Miller and " Robert Parke, of the County of Chester, or any five of them, " should then join the above named Persons, of Lancaster County " or any five of them, in continuing to lay out the said Road from " the Division Line aforesaid, till it should fall in with the King's " high Road, in the County of Chester, leading to Philadelphia, and " make Return thereof to that Board.

" And the above named Persons were also Impowered jointly to " Review the said high Road within the County of Chester, and " Report the alterations necessary to be made therein.

" Now these may certify, that pursuant to the said Petition and " Order, Thomas Edwards, Edward Smout, Robert Barber, Hance " Graaff and Samuel Jones, of the said County of Lancaster, met at the " Town of Lancaster aforesaid, on the fourth day of this instant, " and from thence viewed and laid out a Road from the Courthouse " in the said Town, along the Course of the Street, East 3 Degrees, " Northerly 144 perches, thence East 8 Degrees, North 108 per- " ches, thence East 16 Degrees, South 282 perches, to the East side " of Conestogoe Creek, thence East 5 Degrees, South 25 perches, " thence East 10 Degrees, North 190 perches, thence East 6 De- " grees, South 1271 perches, thence East 4 Degrees, South 696 " perches, thence East 10 Degrees, North 90 perches, thence East " 74 perches, thence East 6 Degrees South 820 perches, thence " East 13 Degrees, North 80 perches, thence East 6 Degrees, South " 406 perches, thence East 8 Degrees, South 94 perches, thence " East 6 Degrees, South 80 perches, thence East 32 Degrees, South " 118 perches, thence East 13 Degrees, South 160 perches, thence " East 364 perches, thence East 19 Degrees, South 490 perches, " thence South 41 Degrees, East 40 perches, thence East 27 De- " grees, South 68 perches, to the aforesaid Division Line, near the " English Church, and then being joyned by George Aston, Rich- " ard Buffington, William Marsh, Samuel Miller and Robert Parke,

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" of Chester County, continued the same through Chester County,
" East 27 Degrees, South 50 Perches, thence East 51 Degrees,
" South 54 perches, thence East 5 Degrees, North 188 perches,
" thence East 25 Degrees, South 246 perches, thence East 7 De-
" grees, North 80 perches, thence East 10 Degrees, South 60 per-
" ches, thence East 25 Degrees, South 74 perches, thence East 38
" Degrees, South 48 perches, thence South 44 Degrees, East 42 per-
" ches, thence East 25 Degrees, South 190 perches, thence East 35
" Degrees, South 48 perches, thence East 15 Degrees, South 32 per-
" ches, thence East 5 Degrees, North 216 perches, thence East 17
" Degrees, South 60 perches, thence East 13 Degrees, South 60 per-
" ches, thence East 10 Degrees, North 130 perches, thence East 26
" Degrees, South 60 perches, thence South East 52 perches, South
" 26 Degrees, East 40 perches, thence East 35 Degrees, South 56
" perches, thence East 15 Degrees, South 36 perches, thence East
" 5 Degrees, South 121 perches, to the West branch of Brandywine
" Creek, thence East 26 Degrees, South 41 perches, thence East 8
" Degrees, South 32 perches, thence East 82 perches, thence East
" 17 Degrees, South 46 perches, thence East 8 Degreess South 58
" perches, thence East 20 Degrees, North 72 perches, thence East 5
" Degrees, South 54 perches, thence East 15 Degrees, South 54 perches
" thence East 30 Degrees, South 146 perches, thence East Souther-
" ly down, the several Courses of a hill 210 perches, thence East
" 5 Degrees, North 288 perches, thence East 13 Degrees, South 30
" perches, thence East 11 Degrees, South 100 perches, thence East
" 26 Degrees, South 56 perches, thence East 51 Degrees, South 20
" perches, thence East 15 Degrees, South 66 perches, thence East
" 10 Degrees, South 42 perches, thence East 10 Degrees, North
" 194 perches, thence East 15 Degrees, North 188 perches, thence
" East 40 Degrees, North 100 perches, to the East branch of Bran-
" dywine Creek, near Thomas Moore's Mill, thence East 17 Degrees,
" North 86 perches, thence east 43 Degrees, North 114 perches,
" thence East 35 Degrees, North 392 perches, thence East 16 De-
" grees, North 216 perches to the aforesaid publick Road, near the
" house of John Spruce, containing in the whole Thirty two Statute
" miles.

" And we conceive the same, as it is now laid out through the said
" Counties, is done the nearest & most Commodious way, & in the
" best manner to answer the purposes intended thereby, which the
" Scituation of the Land would admitt of, and as little to the Incon-
" venience of the Inhabitants as possible, without Damaging the said
" Road; we therefore humbly pray the same may be confirmed.

" And we further beg leave to say, that being unprovided with a
" Copy of the Records of the aforesaid public Road, through Ches-
" ter County, & the Lands contiguous to the said Road being mostly
" Improved, & at present under Corn, we find ourselves uncapable

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" to discover where the same hath been altered from its true Course, " (to the Damage thereof,) and also conclude the present Season of " the year Improper for a Review. Given under our hands the ninth " day of June, Anno Dom. 1733.

" Tho. Edwards,	" Geo. Aston,
" Edward Smout,	" Richard Buffington,
" Robert Barber,	" William Marsh,
" Hans Graaff,	" Samuel Miller,
" Samuel Jones,	" Robt. Parke."

The Board, on due Consideration had of the said Return, together with the Draught accompanying it, doth approve and confirm the Road laid out, as in the said Return mentioned, which is hereby declared to be the King's Highway or Publick Road, and IT IS ORDERED that the same be forthwith cleared, and rendered commodious for the Public Service.

And to the End that the said Road may be continued to the Ferry on Schuylkill at high Street. It is further ORDERED, that the Records of the Public Road through the County of Chester, and till it falls in with the Road of Philadelphia County, leading to the said Ferry be searched, and that the same Persons of Chester County, who have already laid out the Road so far as in the above Return is mentioned, be continued on that Service, to bring the Road to the Verge of Philadelphia County, and when it falls in therewith, that Richard Harrison, Hugh Evans, Robert Roberts, Samuel Humphreys, David George and John Warner, or any four of them, continue the said Road to the Ferry aforesaid, at High Street, and make Report of the same to this Board.

E.

—

October 6th. Out of Council.

Returns of the Elections of Sheriffs and Coroners for the Counties of Kent & Sussex, being presented to the Governor, the following persons were Appointed.

For the County of Kent. Daniel Rodeney & Cæsar Rodeney being returned for Sheriffs, and Nicholas Lockerman, & John Wells for Coroners, Daniel Rodeney is appointed Sherif, & Nicholas Lockerman Coroner.

For the County of Sussex. Simon Kollock & Robert Smith being returned for Sheriffs, and Joshua Fisher & John Clowes for Coroners, Simon Kollock is appointed Sherif, & Joshua Fisher Coroner.

E.

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At the Courthouse of Philadelphia, Oct. 12th, 1733.

PRESENT:

The Honourable the Lt. Governor,
With some of the Magistrates.

Fifteen Palatines, who with their Families, making in all Sixty two Persons, where imported here in the Ship Charming Betty, John Ball, Master, from London, were this day qualified as usual, & their Names are:

John Katner,
Geog. Michael Katner,
Henrich Meikle,
Hans Peter Gruber,
Samuel Ludi,
Christian Andereck,
Ulrich Lebeegoot,
Johan Lebeegoot,
Adam Spag,
Nicholas Burger,
Peter Stocker,
Hans Paul Vogt,
Johan Lang,
Johan Lang, junr.
Nicholas Heltzel.

F

At a Council held at Philadelphia, Octr. 15th.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Lieutenant Governor.

James Logan,
Isaac Norris,
Samuel Preston,
Ralph Assheton,
} Esquires.

The Proprietary was pleased to inform the Board, that by a Ship arrived here a few days since from London, he had the Satisfaction to receive what he hoped would effectually remove all those Doubts which had been raised, touching the Validity of the Lieutenant Governor's Powers.

That his Brother & he in whom the Government, as well as the Property of the Province, is now vested, had on their humble Application to His Majesty, obtained His Royal Approbation of a new Commission, which they had thought proper to issue to the present Lieutenant Governor, whose past Behaviour had so well recommended him to them, that they had readily joyned in continuing him in the Government of this Province & Counties. That the said Royal Approbation, together with an Instruction under His Majesty's Royal Sign Manual, directed to the Governor of Virginia, for Administering to the said Lieutenant Governor, the usual Oaths, and for taking the accustomed Security for the due Observance of the Acts of

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Trade and Navigation, having been transmitted to him, he now laid the same before the Board. Which being read, are as follows:

"At the Court of Hampton Court, the 2d day of August, 1733.

"PRESENT:

Locus Sigilli Coni. "THE KING'S MOST EXCELLENT MAJESTY.

"Lord Chancellor,
"Lord President,
"Lord Chamberlain,
"Earl of Godolphin,
"Earl of Halifax,
"Lord Harrington,
"Lord Delawar,
"Mr. Speaker,
"Mr. Chancellor of the Exchequer,
"Horatio Walpole, Esq.
"Sr. Charles Wager.

"UPON reading at the Board a Report made by the Right Honourable the Lords of the Committee of Council, dated the first of this instant, upon considering a Representation of John Penn, Thomas Penn and Richard Penn, Esquires, the only Surviving Sons of the late William Penn, Esquire, and Proprietors of the Province of Pennsylvania, and Counties of Newcastle, Kent & Sussex, on Delaware in America, Setting forth, that during the Minority of some of the Petitioners, Springett Penn, then Heir at Law of the said William Penn, but since deceased, and Hannah Penn, Mother of the Petitioners, and Executrix of the said William Penn, likewise since deceased, did joyn in Nominating Patrick Gordon, Esqr. to be Deputy or Lieutenant Governor of the said Province and Counties, who was Approved as such by His late Majesty's Order in Council, dated March 11th, 1725, under a Proviso that the said Mr. Gordon should Qualify himself according to Law, and give such Security as therein mentioned, and that the said Springett and Hannah Penn should make such Declaration as therein also Mentioned. That the Petitioners, since the Decease of the said Springett and Hannah Penn, having thought proper to continue Mr. Gordon their Deputy in the said Government, they most humbly pray His Majesty's most gracious Allowance and Approbation of him, to be Deputy or Lieutenant Governor of the said Province, he having already taken the Oath of Office and given the usual Security on the former Occasion. By which Report it appears, that the said Lords of the Committee have no Objection to His Majesty's Declaring His Royal Approbation of this new Appointment of the said Patrick Gordon, to the Office of Deputy or Lieutenant Governor of the said Province and Counties, by the Petitioners John, Thomas and Richard Penn, they having delivered to the Lords Commissioners for Trade and Plantations, a Declaration made by them, under their hands and

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" seals, in the usual Form, for saving the rights claimed by the " Crown, to the three Lower Counties of Newcastle Kent and Sus- " sex, on Delaware River, provided the said Mr. Gordon do again " take the Usual Oath of Office, and give proper Security for his " Observance of the Several Laws of Trade and Navigation, before " His Majesty's Lieut. Governor of Virginia, or Commander in " Chief of that Province, for the time being. HIS MAJESTY this " day taking the said Report into His Royal Consideration, was " pleased with the Advice of His Privy Council, to approve of the " said Patrick Gordon to be Deputy Governor of the said Province " of Pennsylvania, without Limitation of time, and of the said three " Counties of Newcastle, Kent and Sussex, during His Majesty's " Royal Will and Pleasure only; Provided that the said Patrick " Gordon do Qualify himself for that trust, in such manner as the " Law requires, and give sufficient Security in the penalty of two " thousand pounds, before His Majesty's Lieutenant Governor of " Virginia, or Commander in Chief of that Province for the time " being, for his, the said Patrick Gordon's, observing the several " Acts of Trade and Navigation, and Obeying such Instructions " relating thereto, as shall be from time to time sent to him, by His " Majesty, or any acting under His Royal Authority.

W. SHARPE.

" ADDITIONAL INSTRUCTION, for our Right Trusty and
Locus Sign Reg.
" GEORGE R. " Right Welbeloved Cousin, George, Earl of Ork- " ney, Our Lieutenant and Governor General of " Our Colony and Dominion of Virginia, in Amer- " ica, and in his Absence, to the Lieutenant " Governor or Commander in Chief of Our " said Colony, for the time being. GIVEN at " Our Court, at Hampton Court, the third day of " August, 1733, In the Seventh year of our Reign.

" WHEREAS, Our Late Royal Father was graciously pleased, " upon the Application of Springett Penn, Esquire, Grandson and " Heir at Law of William Penn, Esqr. deceased, & Hannah Penn, " Widow, Relict and Executrix of the said William Penn, late Pro- " prietor and Governor in Chief of the Province of Pennsylvania, " in America, under certain Provisoes, to approve of Major Patrick " Gordon, to be Deputy Governor of the said Province, without " Limitation of time, and of the three Lower Counties of Newcastle, " Kent & Sussex upon Delaware, during His Royal Will and Plea- " sure only: And Whereas, by the humble Representation to Us of " John Penn, Thomas Penn, and Richard Penn, Esquires, the only " Surviving Sons of the said late William Penn, they set forth, that

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" the said Springett & Hannah Penn being both Dead, they, the said " John Penn, Thomas Penn and Richard Penn, have continued the " said Major Patrick Gordon in the said Government, and have most " humbly prayed Our Gracious Allowance and Approbation of him, " to be Deputy or Lieutenant Governor of the said Province and " Counties, We have been graciously pleased to condescend to their " request, and have declared Our Royal Approbation of the said " Patrick Gordon, to be Deputy Governor of the said Province of " Pennsylvania, without Limitation of time, and of the said three " Counties of Newcastle, Kent & Sussex, during our Royal Will and " Pleasure only, upon the said John, Thomas and Richard Penn's " having made a Declaration under their Hands and Seals, in the " usual Form, for saving the Rights claimed by Us to the said three " Counties; Provided the said Major Gordon do qualify himself for " that Trust, in such manner as the Law requires, and give good " and sufficient Security, before you or the Commander in Chief of " Our Colony and Dominion of Virginia, for the time being, to whom " he is to apply himself for that purpose, for the observing the Acts " of Trade and Navigation, and for his Obeying such Instructions " relating thereto, as shall be from time to time sent him from Us, " or any Acting under Our Royal Authority. Our WILL AND " PLEASURE therefore is, and We do hereby Authorize and Com- " mand you, to administer the Oaths required by Law to be taken, " by the said Patrick Gordon, upon this Occasion; and the usual " Oath of Office. And that you do take, in Our Name, sufficient " Security in the Penalty of two Thousand Pounds Sterling, for his " the said Patrick Gordon's, observing the several Acts of Trade " and Navigation, and obeying such Instructions relating thereto, " as shall be from time to time sent to him by Us, or any Acting " under Our Royal Authority. Which Securitys you are forthwith " to transmitt to Our Commissioners for Trade and Plantations, in " Order to be laid before Us in Our Privy Council.

" G. R."

The Governor, addressing himself to the Proprietary, returned hearty thanks to him, and the other Gentlemen of his Honourable Family, for this fresh Instance of their great Favour and Kindness to him, & added, that it should be his constant Endeavour to demonstrate his Gratitude, by an exact and faithfull Discharge of his Duty towards their Family, and the Public, to the best of his Power and Ability.

The Members having congratulated the Governor on his new Appointment, and some Discourse having passed on his intended Journey to Virginia, the Council Adjourned.

E.

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October 16th.

The Representatives of the freemen of this Province, elected the first instant, having mett yesterday in Assembly, (the fourteenth falling on a Sunday,) and proceeded to the choice of a Speaker, notified the same by a Message to the Governor, why having appointed this forenoon for receiving them, they attended accordingly.

And Jeremiah Langhorne, Esquire, addressing himself to the Governor, acquainted him that the House had thought fitt to chuse him to be their Speaker, but he desired His Honour would please to direct them to proceed to the Choice of one more fitt to fill that Office, lest through his Insufficiency, the Publick Business should be impeded.

The Governor answered, that having long entertained a good Regard for Mr. Langhorne, he very readily must approve of the Choice of the House, and could not doubt that Gentleman's Abilities for executing the Office.

The Speaker then made the accustomed Requests to the Governor, for the Maintenance of their Rights and Privileges, in the full use and due Exercise of which His Honour having assured them of his Protection, they withdrew.

—

P. M.

A Message from the House was brought to the Governor, that they intended with his Approbation, to adjourn to the 19th of November next; but His Honour having signified to them his intended Journey to Virginia, and that the 17th of December might be more Suitable, lest he should not be able to accomplish that Journey so soon as he could wish, the House agreed thereto, and adjounrned themselves accordingly.

E.

At a Council held at Philadelphia, October 27th, 1733.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Clement Plumsted,	} Esquires.
Isaac Norris,	Ralph Assheton.	

The Governor having imparted to the Board his Resolution of setting out tomorrow for Virginia, acquainted them, that as in his Absence the Care of the Publick would devolve on them, he had now called them together that he might name two Gentlemen, who with the Consent and Approbation of our Honourable Proprietary,

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were judged proper to be added to the Number of Councellors, and by his Direction had been spoke with on this head. That the Members being but few, and severals of them residing mostly in the Country, it had often been found difficult, on emergent Occasions, to gett a sufficient Number together to form a Council; that therefore, an Addition is not only much wanted, but at this Juncture is highly necessary. He then named Thomas Griffitts and Charles Read, Esquires. The Board Expressing their Satisfaction with this Nomination, the said Gentlemen were introduced by two Members, and Mr. Griffitts having taken and subscribed the Affimations and Declarations enjoyned by Law to be taken, by those called Quakers, with an Affirmation for the faithfull Discharge of his Office as a Councellor. Mr. Read having also taken and subscribed the several Oaths and Declarations by Law directed, and an Oath for the faithfull Discharge of his Duty as a Councellor, they took their Seats at the Board.

The Governor then recommended to them the Preservation of the Peace of the Government, and whatever else concerned the Publick, during his Absence, which he assured them should be as short as possible. The Members joyned in their good Wishes for the Governor's prosperous Journey and safe Return, and taking Leave of him, the Council adjourned.

Great Numbers of the principal Gentlemen & Inhabitants of the City, came next day to pay their Compliments to the Governor, before his Departure, and waited on him to the Sloop, on board which His Honour, with the Gentlemen who intended to accompany him, embarqued in the afternoon.

E.

At a Council held at Philadelphia December, 1st.

PRESENT:

The Honourable THOMAS PENN, Esqr. Proprietary.
The Honourable the Lieutenant Governor.

James Logan,	Ralph Assheton,	Esquires.
Isaac Norris,	Samuel Hasell,	
Samuel Preston,	Thomas Griffitts,	
Clement Plumsted,	Charles Read.	

The Governor returning yesterday to Philadelphia, waited of the Proprietary, and now expressed his Satisfaction in meeting the Members of Council, and on finding the Government in good Order and Tranquility, he thanked the Board for their Care, and they joyned in congratulating him on his safe Arrival in his Government.

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He then informed the Proprietary and Board, that in Obedience to His Majesty's Commands, signified by the Instruction under His Royal Sign Manual, to the Governor or Commander in Chief of Virginia, he had waited on Mr. Gooch the Lieutenant Governor of that Colony; had given Security, and taken the Oaths directed by Law before him, and had obtained a Certificat thereof under that Gentleman's hand, and the Great Seal of Virginia, which being produced and read, is as followes:

"WILLIAM GOOCH, Esqr., His Majesty's Lieutenant Governor & Commander in Chief of the Colony and Dominion of Virginia.

"To all to whom these present shall come:

"I do hereby Certify and make known, that on the day of the date of these presents, Patrick Gordon, Esquire, Lieutenant Governor of the Province of Pennnsylvania, and Counties of Newcastle, Kent and Sussex on Delaware, personally came before me, and pursuant to his Majesty's Pleasure, signified under his Royal Sign manual and Signet, took the Oaths appointed to be taken, instead of the Oaths of Allegiance and Supremacy, and the Abjuration Oath mentioned in the Act of Parliament, made in the first year of His late Majesty's Reign, and subscribed the same, together with the Test, and took the Oath of his Office, for the due observance of the Acts of Trade and Navigation. And I do further Certify, that the said Patrick Gordon hath also given Bond to His Majesty, with good and sufficient Security in the penalty of two thousand pounds Serling, for observing the said Acts of Trade and Navigation, and obeying such Instructions relating thereto as shall be from time to time sent to him, by His Majesty, or any Acting under His Royal Authority; which Bond remains in my hands, to be transmitted to the Right Honourable The Lords Commissioners of trade, conformable to His Majesty's Royal Commands, signified to me for that purpose. IN TESTIMONY whereof I have hereunto set my hand and caused the Seal of this Colony to be affixed, at Williamsburg, the Fourteenth day of November, 1733. in the Seventh year of the Reign of Our Sovereign Lord, GEORGE the Second, King of Great Britain, &c.

"WILLIAM GOOCH."

Locus Sigilli Virginiæ appens.

The Proprietary then acquainted the Board, that having in his Custody a new Great Seal & Lesser One, bearing the Names of the present Proprietaries, he intended that henceforth these should be used instead of the old ones, and accordingly, the last being brought

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into Council and delivered up to the Proprietary, he was pleased to putt the new Seals into the Governor's hands.

Mr. Griffitts had the Custody of the late Great Seal, the Governor committed the keeping of the present One to him, who by Order, affixed the same to the Commission from the Honourable the Proprietaries to their Lieutenant Governor.

The Proprietary then delivered the said Commission to the Governor, who received it with becoming Expressions of Duty and Gratitude towards his Constituents, and the same being read at the Board, was afterwards published at the Courthouse, together with His Majesty's Royal Approbation, and the aforesaid Certificat from the Lieutenant Governor of Virginia, in presence of the Council & Mayor & Commonalty of the City, who had Notice to attend on this Occasion.

It was moved and agreed that new Commissions should be forthwith issued to the same Persons now acting as Judges and Justices throughout this Province & Counties, unles there should be Reason for discontinuing some of them.

It is Ordered that the Name of Lassee Bore be left out of the Commission of the Peace for Philadelphia City and County, and Evan Thomas be substituted in his Room, and that Henry Pastorious be added.

That in the Commission for the Connty of Lancaster, the Name of Andrew Cornish be left out.

And that in the Commission for Bucks County John Wells be added.

E.

At a Council held at Philadelphia, Decr. 17th, 1733.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Isaac Norris, Samuel Hasell, Clement Plumsted, Thomas Griffitts, Ralph Assheton. } Esquires.

The Assembly of the Province standing adjourned to this day, and His Honour intending to speak to them to morrow, laid before the Board a Draught of his Speech for their Sentiments of it, which being read, was with some small Alterations proposed by the Council and assented to by the Governor, approved, and His Honour desired the Attendance of the board to morrow about noon, at which time he intended to send for the House.

'Tis Ordered on the Motion of the Governor, that Edward Smout

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and Derick Updegraaf, of the County of Lancaster, be added to the Justices assigned in the General Commission of the Peace for that County.

E.

At a Council held at Philadelphia, Decr. 18th, 1733.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Clement Plumsted,
Samuel Hasell,
Thomas Griffitts.

The House of Representatives being sent for, and attending with their Speaker, the Governor made the Speech to them which at the preceeding Council had been approved, and the same is in these Words:

"GENTLEMEN:

"The Business of the Country having at the last Sessions of the "preceeding Assembly, met with unforseen Obstructions. I resolved "at your first Meeting, to have recommended to you the Dispatch "of those Affairs which the Publick Service more necessarily re- "quired, but having a few days before received Notice that our "present worthy Proprietaries had done me the Honour of contin- "uing me their Lieutenant under a new Appointment, issued with "the Royal Approbation, and that it was incumbent on me, in pur- "suance of an Instruction under His Majesty's Royal Sign Manual "then put into my Hands, to qualify myself thereto, by taking the "Oaths and executing the usual Security before the Governor of "Virginia, I thought proper to defer Entring on any Business till I "had paid due Obedience to the Royal Commands, which being now "fullfilled, it is with Pleasure I meet this Assembly, of whom I en- "tertain so good an Opinion, that I am persuaded they will not omit "any thing in their Power, conducive to the real Happiness of this "Province, or the true Interest of those they represent.

"Amongst the Matters formerly recommended by me, and yet "remaining to be considered by the Legislature, there are two which "from their Importance will I hope, be the first Subjects of your "Attention; I mean the Regulations necessary in our Flour, and "the Revival of the Excise on Liquors. The Credit of the main "Branch of our Trade, and the Interest as well of the Farmer as "Merchant depend on the first, and without the other the Publick "Debts will, I am afraid, increase so much as to render a Provin- "cial Tax requisite. It may not be improper, while the last of

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" these is under your Consideration, to enquire whether the Funds " appropriated for defraying the ordinary and extraordinary Char- " ges of Government are Sufficient for that End. If they are not, " it will be incumbent on you to make further Provision, in such " manner as may best suit the Circumstances of the Province.

" I forbear mentioning at present some other Affairs, because if " they do not arise from yourselves, in the Course of your Proceed- " ings, they may hereafter be communicated by Message, and shall " only add, that as we enjoy Peace under the Protection of a Sov- " eign who makes the good of His Subjects the Rule of His Gov- " ernment, and are happy in Proprietaries who on all Occasions " manifest their Regard and Concern for our Welfare, We ought, " with a becoming Unanimity in general, and more particularly in " our Councils, to shew ourselves truly thankful, by pursuing those " Measures that may best advance the Reputation of this Colony, " and most effectually Contribute to the Advantage of all its Inhab- " itants, from whom I have, ever since my Arrival here, received " such Testimonies of Good will and Affection, as lay me under the " strongest Obligations of rendring them the most agreeable Services " in my Power.

—

Decemr. 19th.

The House Sent up the following Address to the Governor:

" TO THE HONBLE PATRICK GORDON, ESQR.

" Lieut. Governor of the Province of Pennsylvania, &c.

" THE ADDRESS of the Representatives of the Freemen of the " said Province, in General Assembly met:

" May it please the Governor:

" It is no small Satisfaction to us, that those Difficulties which " obstructed the Publick Affairs of this Province are removed. " And it is with Pleasure we embrace the Opportunity now offered " us, Sincerely to congratulate the Governor on his being continued " by our Honourable Proprietor, their Lieutenant under a new Ap- " pointment, issued with the Royal Approbation.

" We are very sensible of the Obligations we are under for the " good Opinion the Governor is pleased to entertain of us, And we " hope our future Conduct will demonstrate our Endeavours to sup- " port a Character so much to our Advantage, by our Readiness to " do every thing in our Power conducive to the real Happiness of this " Province, and Good of those we represent.

" The Regulations necessary to be made concerning Flour ex- " ported from this Province, and an Act for continuing an Excise " upon strong Liquors, have been under the Consideration of the

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" Assembly which preceeded Us, and had it not been for those Ac-
" cidents the Governor has been pleased to mention, which obstructed
" the Business of the Country, we conceive little had remained ne-
" cessary for us now to do; And those Obstacles being now happily
" removed, we shall apply ourselves to the Consideration of those
" Matters, in the manner their Importance justly deserves.

" And although we have no Reason to doubt but that the Funds
" appropriated for defraying the Charges of Government are suffi-
" cient to the End for which they are designed, Yet, if on further
" Examination, any Deficiency should appear, we are willing to
" make such Provisions as the Emergence may render necessary.
" And that we conceive may effectually be done without the Aid of
" a Provincial Tax, which at this Juncture would be unnecessary,
" as well as unacceptable to our Constituents.

" We gratefully acknowledge the Blessings of Peace which we
" enjoy, under the Protection of a Gracious Sovereign, and our
" Happiness in Proprietaries who manifest their Regard and Con-
" cern for our Welfare. And we desire with becoming Unanimity,
" to pursue such Measures as may best advance the Reputation of
" this Colony, and most Effectually contribute to the Advantage of
" all its Inhabitants, from whom in general, & from our selves, in
" in particular, we hope such further Testimonies of Good will and
" Affection may be added, as may continue the Governor's Inclina-
" tions of doing hereafter as heretofore he hath done, the most agree-
" able Services in his Power.

" Signed by Order of the House.

" J. LANGHORNE, Speaker.

Decemr. 28th.

The Governor directed the Name of John Karnaughan to be left out of the General Commission of the Peace this day, issued for the County of Chester.

At a Council held at Philadelphia, January 3d, 1733–4.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Isaac Norris,	Samuel Hasell,	
Samuel Preston,	Thomas Griffitts,	
Clement Plumsted,	Charles Read,	

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The Minutes of sundry preceeding Councils being read and approved:

A Bill sent up from the House Entituled:

AN ACT for reviving an Excise on Wine, Rum, Brandy, and other Spirits, was read, to which divers Objections were made, and Amendments proposed, the drawing up whereof was, by Order of the Board, committed to Messrs. Logan, Preston, Plumsted & Read.

E.

At a Council held at Philadelphia, January 4th, 1733–4.

PRESENT

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Clement Plumsted, } Esquires.
Samuel Preston, Charles Read. }

The Amendments to the Bill for reviving an Excise being drawn up, were this day considered by the Governor and approved, and the same ordered to be sent to the House with the Bill, Which Amendments were concluded with the following general Observations on the Bill:

" Upon the whole of this Bill it will be necessary further to consider, that the prevailing practice of drinking Rum in this Province, and the debauchery introduced by the vast Consumption of it is the crying Sin and disease of the Country; not only Numbers of Single Persons but Families are ruined by it; therefore, nothing can better deserve the thought and Application of the Legislature, than to find out proper measures for giving a Check to, and restraining, this Abuse, which must be allowed to be of much greater Importance to the welfare of the Country, than the raising of Money from it. But by this Bill such a restraint does not appear to be provided. The allowing no Person a permit who shall not pay three pounds in the year for Duties, may in some measure prevent the Increase of very small Retailers, but on the other hand, it will encourage those who take Permits, to use all the means in their Power to promote the Consumption, that they may not pay any part of that three pounds for nothing.

" There is no restraint on those fatal tippling places in the Country, and in the outer Skirts of the town, Cellars, and such places; but the whole depends on the Officer's pleasure who, as he undertakes the business with a view to his own gain, it cannot be expected that he will take any measures to restrain or shorten the Number of Retailers; nor are the permitted Persons laid under any ties or Obligations to keep good Orders, so that from such a

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" Power at large, the Inconveniences complained of may rather be " increased than lessened. But further it may be found difficult to " assign a good Reason why any other Persons than those, who " being licensed to keep publick houses, (are by the Laws and the " Security they give, Obliged to keep good Orders,) should be al- " lowed to Retail any such Liquors, excepting only Mills, Stores " and Shops, all of whom should be made fineable, if they suffer " any tippling where they sell, or any disorders to arise at their " Mills, Houses, or respective Places, by means of the Liquors they " vend there. And this is most Seriously recommended to the Con- " sideration of the House, that now, on this Occasion, the best pro- " vision may be made that can be thought of, against those vast " Disorders that tend, not only to the Dishonour and Reproach of " the Government, but to the Ruin of so many of the Inhabitants.

E.

At a Council held at Philadelphia, January 9th, 1733-4.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Isaac Norris,	Samuel Hasell,	
Samuel Preston,	Thomas Griffitts.	
Clement Plumsted,		

The Minutes of the two preceeding Councils being read & approved:

The Governor acquainted the Board, that in a late Law Suit in England some Dispute had arisen, touching a Law of this Province, which, tho' repealed by His late Majesty, had been contended not to be effectually repealed, because it was not done in the manner directed by Charter, to witt: Under the Privy Seal. That this being suggested to some in the Ministry, and it being hinted that several other Laws had been repealed in the like manner, Notice had been taken of it by them to Our Honourable Proprietaries, to whom it was proposed to consent to a Bill, to be brought into Parliament, for confirming all those Repeals that had been made, whether by Order in Council, Proclamation or otherwise, than enjoyned by the Charter, but Our Proprietaries being rather inclineable to confirm those Repeals by a Law, to be passed in this Province, had directed him to mention it to the Assembly, upon which he was now to advise with the Board.

After some time spent herein, It is continued under the further Consideration of the Board.

The Governor then mentioned the repeated Instances made to him

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by Mr. Paris, the Agent, for establishing the Agency on a better footing than it now stands, by passing a Law for his Appointment, and ascertaining the Allowance to be made to him, and to this purpose, several Extracts of a Letter from the Agent to the Governor were read: the Governor then making some Observations on the necessity of such an Appointment, desired the Sentiments of the Members on the Subject.

It it the Opinion of the Board that the Governor should, at the most most proper time, move this matter to the House, laying before them such Extracts from the said Letters, as he may think necessary.

E.

—

P. M. Present.

The Lieutenant Governor and the same Members as before, except Messrs. Hasell and Griffitts.

The Bill for reviving an Excise with the Amendments of the Council, and some further Amendments of the House, was again sent up, it appeared that the House had agreed to several of those proposed by the Board, and rejected others. On Consideration of those last, the Board continued to insist that some further Notice should be taken than in the Preamble of the Bill only, of the Debt due to the Loan Office; the following Amendment was therefore drawn up, and being agreed to, is ordered to be sent down with the Bill:

" It appears evident to the Governor in Council, that some further " Directions for the Payment of the Arrears of the £1300 is neces- " sary, and he is of Opinion that when the Assembly reconsiders " it, they will be equally sensible of the same, for that Sum is lent " from the Loan Office by a Law it directs the Payment by Laws " which are now all expired, and therefore, as it was lent by a Law, " the like Security should be provided for the Payment of it. It's " proposed the following Clause should be inserted instead of that " beginning at the Letter N.

" And the said Treasurer, out of the moneys by him to be received, " of the Collectors aforesaid, shall duly pay into the Trustees of the " General Loan Office of this Province, the Quotas yet remaining " unpaid, of the said Thirteen hundred Pounds, as the same shall be- " come due, in the manner directed by the first recited Act, for making " current Thirty thousand Pounds in Bills of Credit, & for the Re- " mainder of the said Moneys, shall be accountable to the General " Assembly of this Province."

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The Bill Entituled:

AN ACT to prevent the Exportation of Bread and Flour not Merchantable, being sent up from the House was read. But it being late in the night, the Consideration thereof was adjourned till to morrow morning at Nine a clock.

E.

At a Council held at Philadelphia, Janry. 10th.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieutenant Governor.

James Logan, Clement Plumsted,
Isaac Norris, Thomas Griffitts.
Samuel Preston, } Esquires.

The Bill to prevent the Exportation of Bread and Flour not merchantable, was again read, and Sundry Amendments proposed, which being drawn up, are Ordered to be sent down with the Bill.

E.

Janry. 11th.

The House having again sent up the Excise Bill, & acquainted the Governor that they had agreed to the Amendments by him proposed, the Bill was approved and returned to the House.

E.

At a Council held at Philadelphia, Janry. 14th, 1733–4.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Clement Plumsted, Thomas Griffitts,
Ralph Assheton, Charles Read.
Samuel Hasell, } Esquires.

The three preceeding Minutes being read and approved, A Bill Entituled:

AN ACT the better to enable William Fishbourn to discharge the Debt due from him to the Trustees of the General Loan Office of this Province, was read, and agreed to without Amendment.

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The Bill to prevent the Exportation of Bread and Flour not merchantable, was again sent up with the Amendments offered by this Board, and it appearing that the House had rejected two of them, touching the subsequent Appointment of Officers, in case of Death or Removal, of those named in the Bill, the House insisting that the Appointment should be by the Assembly as in the Bill, and the Board insisting that the same should be by Act of Assembly, the Board entred into the further Consideration of that Point, & observing that the House, by rejecting these Amendments, seemed to deny the Right of the Governor in any Subsequent Appointment, are of Opinion that the House be desired to reconsider these Amendments, and that the Sentiments of the Governor, in the following Words, be at the same delivered to the House:

"As no Act by which any Officer is to be appointed can be in "force, till the Governor, in whom, by the Language not only of "the Royal Charter, but also of the Acts themselves, at least one "half of the Power of Legislature is invested, thinks fitt to approve "& concur with the same, So it must appear inconsistent that any "future Appointment should be made, for executing any such Act, "without the like Concurrence. The Governor therefore thinks it "incumbent on him, not so much in Regard to himself, as in behalf "of the Proprietor's Original Rights, to declare that he conceives he "has an Equal Power in nominating any Subsequent Officers that "he has at first.

E.

At a Council held at Philadelphia, January 17th, 1733–4.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston,	Samuel Hasell,	} Esquires.
Clement Plumsted,	Thomas Griffitts,	
Ralph Assheton,	Charles Read,	

The Bill to prevent the Exportation of Bread and Flour not merchantable, being again sent up to the Governor with a Verbal Message from the House to this Effect:

That it was far from their Interest or Inclination to intrench upon the just Rights of the Proprietaries, or the Powers of the Governor, but the Words excepted against being the same used in the Act now in force, for regulating Bread and Flour, they hoped the Governor would not misinterpret their insisting on the present Bill, to be in this Point, the same with the former,

The Board entring into the Serious Consideration hereof, and weighing the Advantages that may accrue to the Province, from the

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Regulations intended by the present Bill, and the Danger of loosing the whole Bill, by insisting too closely on the proposed Amendments, the Governor offered to the Board a Paper containing the following Message, which being read, Messrs. Preston, Assheton, Hasell and Griffitts, concurred in the same Sentiments with those of the Governor, expressed in the Message, but Messrs. Plumsted and Read dissented, and desired Leave to extend their Reasons on the Minutes of this Board.

Which Message is in these Words:

"The Governor is still of Opinion that the Amendments he propo-
"ses are for the Reasons already assigned, just and reasonable, and
"would, if agreed to by the House, render the Subsequent Appoint-
"ment of Officers less liable to Exception. But as the Words con-
"tended for by the House, stand in the same manner in the Act now
"in force for regulating Bread and Flour, and as this Bill is thought
"to be of very great Importance to the whole Province, the Gover-
"nor will not so far insist on the Amendments at present, as to
"risque the loosing of so beneficial a Bill; still conceiving that by
"these very Words: "UNTIL THE ASSEMBLY APPOINTS
"ANOTHER," no Appointment can be made but in a regular and
"proper manner, to which his Concurrence must still be believed
"necessary."

And the same, together with the Bill, is ordered to be sent down to the House.

The Governor then laid before the Board the Draught of a Message, to be likewise sent to the House, touching the Agent, & the same being read was approved, and is as followes:

"Gentlemen:

"I have received divers Letters of late from Mr. Paris, the Agent,
"complaining of a Defect in the manner of his Appointment, which
"he proposes to be remedied by an Act establishing the Agency, and
"ascertaining a competent yearly Allowance for it, and I doubt not
"but in his Letter to the Committee of Correspondence, he has wrote
"in much the same terms. It must be acknowledged that his Ac-
"counts run high, and beyond what has been generally known in
"this Province, but it will be necessary to consider that this Gov-
"ernment has not, hitherto, had an Affair to negotiate that required
"an Expence in any measure comparable to what must naturally
"be expected to attend a Matter of such Importance, carried on by
"the united Interest of these wealthy Sugar Islands, which all the
"Northern Colonies being on the other hand obliged to oppose, it
"can scarce be thought possible that our Agent joyning in the com-
"mon Cause, could act in a manner altogether disproportionate to
"that of our Neighbours, but 'tis to be hoped that such an Occasion
"will rarely present again; yet if it should so happen, we ought not

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" to be wanting to ourselves. And as you are fully sensible of the " Advantage it is in all such Cases, to have an able and Experienced " Person in Britain for the managing and transacting the necessary " Business of the Province, I must recommend to you, that when " other matters relating to the Agent are moved in your House, you " will take into Consideration what is proposed by him, and make " such Provision for rendring his Powers compleat, and for enabling " him chearfully to apply himself to our Affairs, by a suitable En- " couragement, as the necessity of the Appointment, and the Fatigue " and Trouble it occasions, does require.

" P. GORDON."

Came in, James Logan, Esqr., to whom the foregoing Proceedings being imparted, he joyned in Opinion with Messrs. Preston, Assheton, Hasell and Griffitts, touching the Message on the Bread and Flour Bill.

A Bill to the same effect with what had been proposed by the Governor to the Council, on the 9th instant, having taken Rise in the House, and being by them sent up, Entituled:

An Act for confirming the Repeal of divers Laws of this Province, was then read and considered, and with a small Amendment agreed to, are Ordered to be returned to the House.

E.

At a Council held at Philadelphia, Janry. 19th, 1733-4.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Samuel Preston,	Samuel Hasell,	
Clement Plumsted,	Thomas Griffitts.	

A Bill sent up from the House, Entituled:

An Act for the more easy Recovery of small Debts & for amending the Practice of the Law, was read, on Considering which many Objections arising, the following Message was prepared and Ordered to be sent down to the House with the Bill.

" From the Governor in Council, to the House of Representatives.

" Scarce any thing contributes more to the Honour of a Govern- " ment than the Goodness of its Laws, which ought always to be " concise and plain, as well as just, and all Parts of the Legislature " should use their utmost Application to render them such. But this " Bill called An Act for the more easy Recovery of Small Debts, &c. is " so far from being thus qualified; that besides its being exceeding long " and ill expressed, it can never, as 'tis conceived, answer the End

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" proposed by it, or contribute to the Ease of the Subject. It re-
" quires an unreasonable Attendance of the Justices; it lays a Bur-
" then on Constables which is no part of their Duty, nor within the
" Intendment of their Appointment, and requires more of both these
" Officers than can be expected from many of them, who must ne-
" cessarily be appointed in Parts where others more capable are not
" to be found. It puts the Creditor in many Cases, in a worse Con-
" dition than he would be without it, and enables the Debtor to per-
" plex and give his Creditor more Trouble than before. 'Tis certain
" the whole Practice of the Courts wants to be reformed, and it is a
" crying Oppression that easier methods are not found to obtain
" common Justice in most Cases, and more especially in those of
" small Debts, but 'tis plain what is here proposed will by no means
" answer that End, therefore, it will be requisite to consider of some
" summary Method more practicable.

" By Order of the Governor in Council.

" ROBT. CHARLES, Sec'ry."

Two Resolves of the House on the Subject of the contraverted Amendments to the Bill for preventing the Exportation of Bread and Flour not merchantable, having been yesterday delivered to the Governor, were now read at the Board, and are in these Words:

" Resolves of the House of Representatives upon the Subject of
" the Governor's Message of Yesterday, vizt:

" 1 Resolved:

" That this House is of Opinion, that as well by the known and
" constant Acceptation of the Word Assembly, as by divers Laws of
" this Province, and particularly the Act for regulating Elections,
" The Representatives chosen and met are the Assembly of this
" Province: And that though the Governor's Concurrence in Acts of
" Legislation be necessary, yet when the Assembly of this Province
" are, by Laws, authorized to do any act, his Concurrence is not
" necessary.

2. " Resolve:

" That least the Silence of the House upon the Subject of the
" Governor's Message should be interpreted into an implicit Con-
" currence with his Sentiments upon this Head, the Resolve above
" mentioned be entred upon the Minutes of this House, and that the
" Governor be acquainted therewith.

" By Order of the House of Representatives.

" J. GROWDON, Cler. Conv."

On which some Observations being made, the further Consideration of the said Resolves was deferred.

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P. M. Present:

The Honourable the Lieutenant Governor.

Ralph Assheton,
Thomas Griffitts,
Charles Read. } Esquires.

The Bill for the more easie Recovery of small Debts was again sent up from the House, with the following Resolve, in answer to the Governor's Message of this Day.

" Upon reading the Governor's Message of this day,

" Resolved,

" That the Message sent from the Governor with the Bill Entituled An Act for the more easie Recovery of small Debts, &c., is conceived in such General terms, that the House are at a Loss to understand what is intended by the same; forasmuch, therefore, as the Governor hath declared his Sence of the Grievances proposed to be redressed by the Bill, The House is of Opinion that the same be again recommended to the Governor, with the request of this House, that he will be pleased to reconsider the same by the next Sessions and give a more particular Answer concerning it.

" Signed by Order of the House.

" J. GROWDON, Cler. Conv."

A Verbal Message was brought from the House by two of their Members, acquainting the Governor that they intended to adjourn to the 12th of August next, to which His Honour agreed.

The Engrossed Bills that had passed the House with the Governor's Concurrence, having been compared with their Copies, and the House attending according to Order, the Speaker presented the Four following Bills to His Honour, for his Assent, which were accordingly passed into Laws, and the Great Seal of the Province ordered to be thereunto affixed; which Laws are:

An Act to prevent the Exportation of Bread and Flour not merchantable.

An Act for reviving an Excise on Wine, Rum, Brandy and other Spirits.

An Act for confirming the Repeal of divers Laws of this Province.

An Act the better to enable William Fishbourn to discharge the Debt due from him to the Trustees of the General Loan Office.

The Speaker then presented the Governor with an Order of the House on the Trustees of the General Loan Office, for Six hundred pounds, in part of the current year's Support, for which His Honour having thanked the House, they withdrew.

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At a Council held at Philadelphia, May 10th, 1734.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,
Isaac Norris,
Samuel Preston. } Esquires.

A Petition of divers Inhabitants of the Counties of Philadelphia and Bucks was read, setting forth the great Want of a Publick Road from the great Swamp, in the last mentioned County, to the Road leading through North Wales, to Edward Farmer's Mill; which Road they conceive may be commodiously laid out from George Scabey's Mill along by Thomas Fletcher's Mill, to the Plantation of David Jenkins, from thence to the County Line at the East branch of Parkeoman Creek, as near John Mayer's Mill as a convenient Ford can be found, and from thence into the said North Wales Road, leading to Edward Farmer's Mill, and praying that proper Persons may be appointed to lay out the same accordingly.

The Prayer of which Petition being granted, IT IS ORDERED, that John Bartholomew, John Roberts, Blacksmith, John Edwards, James Robinson, George Packman and John Lester, of the Counties of Philadelphia and Bucks, Yeomen, or any four of them, View and lay out by Course and Distance the said Publick Road, so as the same may best Answer the Publick Service, and with as little Damage as may be to any private Persons, and make return thereof, together with a Draught of the same, to this Board.

E.

At a Council held at Philadelphia, May 14th, 1734.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,
Samuel Preston,
Clement Plumsted,
Ralph Assheton,
Samuel Hasell,
Thomas Griffitts. } Esquires.

The Proprietor informed the Board, that the Business now to be considered by them, relates to some very unneighbourly Proceedings of the Province of Maryland, in not only harrassing some of the Inhabitants of this Province who live on the Borders, but likewise in extending their Claims much farther than had ever heretofore been pretended to by Maryland, and carrying off several Persons and imprisoning them; that some time since they carried off John Hendricks and Joshua Minshall from their Settlements on Sasquehannah, and

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still detain them in the Goal of Annapolis; that of late two others have been taken from the Borders of Newcastle County, and carried likewise to Annapolis; that as these men will probably be brought to a Trial at the ensuing Provincial Court of Maryland, he had spoke to Andrew Hamilton, Esqr., to appear for them, but as these violent Proceedings tend manifestly to the Breach of His Majesty's Peace, and rendring all the Borderers insecure, both in their Persons & Estates, he was now to advise with the Council on such Measures as are most fitt to be proposed, for maintaining Peace between His Majesty's Subjects of both Provinces.

Then was read a Letter from the Lieutenant Governor of Maryland to the Lieutenant Governor of this Province, dated the 24th of February last, with an answer of the latter thereto, dated the 8th of March following, On which some Observations being made, the Proprietor said that he intended to make use of the Opportunity of Mr. Hamilton's going to Annapolis, to press the Lieutenant Governor of Maryland to enter into such measures as should be most adviseable, for preventing such irregular Proceedings for the future, and as he designed that his Secretary, Mr. Georges, should accompany Mr. Hamilton, he had drawn up Instructions for them, which being laid before the Board, were read, as was likewise a Draught of a Letter from the Lieutenant Governor of this Province to the Lieutenant Governor of Maryland. On Consideration thereof had, the Board are of Opinion that the proposed Measures are absolutely necessary at this time, for Securing the Peace of His Majesty's Subjects, and the said Instructions, together with the foregoing Draught, being approved and ordered to be entred on the Records of Council, the Governor is desired to grant such Credentials to the Persons entrusted with the Negotiations, as may shew them fully authorized by this Government for the Purposes in the said Instructions contained.

An Omission in this Minute Supply'd by an Entry after Minute of July 25th, 1734.

E.

—

May 25th.

By the Governor's Order a special Commission was issued, assigning Joseph Haines of West Nottingham, in the County of Chester, a Justice of the Peace, and of the Court of Common Pleas for the said County.

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At a Council held at Philadelphia, June 20th, 1734.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Esqr.,
Isaac Norris, Esqr.,
Samuel Preston, Esqr.,
Clement Plumsted, Esqr.,
Thomas Laurence, Esqr.,
Ralph Assheton, Esqr.
Samuel Hasell, Esqr.,
Thomas Griffitts, Esqr,
Charles Read, Esqr.

The Governor acquainted the Board, that the Honourable Thomas Penn, Esqr., one of the Proprietaries of this Province, having some time since received from the Commissioners appointed by virtue of a Commission from the Honourable John Penn, Thomas Penn and Richard Penn, Esquires, Proprietaries of this Province, bearing date at London, the 12th day of May, 1732, for the execution of certain Articles of Agreement, concluded between the said Proprietaries and the Right Honourable Charles, Lord Baltimore, Lord Proprietary of the Province of Maryland, bearing date the tenth day of May aforesaid, for the running, marking and laying out the Lines, Limits and Boundaries between the Province of Pennsylvania, Counties of Newcastle, Kent & Sussex, on Delaware, and Province of Maryland their Report of their Proceedings towards the Execution of the said Commissioners, the said Proprietary had directed him to take proper Measures with the Concurrence of this Board, for having the same proved in the most Authentick manner.

Which being considered by the Board, IT IS RESOLVED that the said Commissioners, upon their respective Oaths or Affirmations to be Administred in the presence of the Board, by one of the Judges of the Supreme Court of this Province, may Declare to the truth of the said Report, and that some Persons of Credit & Reputation, now in Philadelphia, as are known to have an Intention of Transporting themselves in some short time to Great Britain, be also called to be present at the Board when such Oaths and Affirmations are administered & subscribed.

And accordingly, Thomas Græme, Esquire, one of the Judges of the said Court, being called on, came into Council, and at the Council Board Administered to the Honourable Patrick Gordon, Esquire, Andrew Hamilton, Esqr. and Robert Charles, Gentleman, three of the said Commissioners, an Oath on the holy Evangelists, and to Isaac Norris, Samuel Preston, James Logan, Esquires, & James Steel, Gentleman, the other four of the said Commissioners, being of the People called Quakers, a Solemn Affirmation, according to Law, that the said Report, which in one Copy is contained in Eighty seven Pages, in another in Ninety two Pages, and in a third in Ninety five Pages, is a true and faithfull Narrative of the Substance of what passed between them and the Commissioners on the part of Maryland,

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at the several Meetings where they and each of them respectively were present, agreeable to the Minutes carefully taken by some of their Number, at the times when such Meetings were held, or very soon thereafter, to the very best of their knowledge, and that the several Papers which have passed between the Commissioners on each side and are transcribed in the Report, having been with all possible Exactness compared with the Originals remaining in the hands of the Commissioners of Pennsylvania, and found to agree therewith.

Which said Oaths and Affirmations were Subscribed by the said Judge and Commissioners, in presence of John White and Samuel Mickle, of Philadelphia, Merchants, John Richmond and William Spafford, Mariners and Commanders of Ships, now lying in the Port of Philadelphia, aforesaid, and bound for London, who also Signed as Witnesses to the same, as appears by an Endorsement at the close of each Copy of the said Report.

And it is further ORDERED by the Board, that a Copy of this Minute of Council be annexed to each of the three Copies of the said Report, and that the Great Seal of this Province be thereunto affixed.

E.

At a Council held at Philadelphia, July 25th, 1734.

PRESENT:

The Honourable THOMAS PENN, Esqr., Proprietary.
The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Samuel Preston,	Samuel Hasell,	
Clement Plumsted,	Charles Read.	

The Minute of the 14th of May last being read & approved, the Proprietor acquainted the Board that Messrs. Hamilton & Georges being some time since returned from Maryland, had lately made a full Report to him in writing of their Proceedings, in pursuance of the Instructions and Authority they had received from this Government, which having been given by & with the Advice & Concurrence of this Board, he thought it incumbent on him to lay before them the Result of that Negotiation.

The Report aforesaid, together with a Letter from the Lieutenant Governor of Maryland, brought by these Gentlemen, in answer to that from the Lieutenant Governor of this Province, Mentioned in the aforesaid Minute of Council, were read, and ordered to be entred on the Records of this Board.

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The Proprietor then observing that Reference is made in the Close of the said Report to some Minutes taken at the hearing before the Provincial Court of Maryland, said that these not having been yet delivered to him, he had desired Mr. Hamilton to attend this Board to inform them herein, who being sent for, came into Council and gave a Narrative Verbally, of the Proceedings had in the said Court against those who were carried off Prisoners from this Government, and the Arguments he had advanced for obtaining their Discharge. As some of these last gave great Satisfaction to the Board, it was desired of Mr. Hamilton, that reducing the same under proper heads, he would committ them to writing, that they might be entred on the Records of Council, to be had Recourse unto on the like Occasions, which he undertook to do.

The Board acknowledging the great Care & Diligence of Messrs. Hamilton & Georges in the Execution of their Commission, and entring into the serious Consideration of what had now been laid before them, Observed that from the whole of what had been transacted, it must appear abundantly evident that notwithstanding the specious and ample Professions made by the Governor of Maryland of his Readiness and Willingness to joyn in any amicable measures for preventing all Occasions of Differences between the two Provinces, yet his Behaviour in this last Instance, and the whole Procedure of that Government for some time past, had demonstrated a very different Disposition; And that it now remained to be considered what further Steps may be necessary to be taken, for the Security and Quiet of the Inhabitants. Whereupon it was moved and unanimously agreed to, that Directions should be forthwith given to the Magistrates of the several Counties within this Government, requiring them to exert their utmost Endeavours for preserving the Publick Peace, and at the same time that they prevent, by all possible means, any just Occasions of Complaint from our Neighbours of Maryland, they take the most effectual Care in their Power for the Protection and Defence of the People, especially those on the Borders, from any Insults on their Persons or Attempts on their Possessions, by those who pretending Right to or claiming Lands within this Province, under that Colour do presume to molest the Inhabitants; that they be vigilent and diligent in causing to be apprehended and secured, all such Disturbers of the Peace and Invaders of the Just Property of His Majesty's peaceable Subjects within this Government, to the end they may be brought to condign Punishment. And that herein the Magistrates proceed according to Law, and as far as that will warrant them. And it is Recommended to the Governor to issue his Orders accordingly.

The Proprietor representing further, that several People had applyed to him for Grants of Lands on the West side of Sasquehannah, and in consequence thereof that Magistrates should be appointed amongst them, The Board are of Opinion that some discreet and prudent Persons should be commissionated for preserving the

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Peace, to the Northward of the Line agreed on by the last Articles of Agreement, concluded between the respective Proprietaries in 1732.

The Governor then informed the Board, that he was under no small Concern to hear that a House lately built in Walnut Street, in this City, had been sett apart for the Exercise of the Roman Catholick Religion, and is commonly called the Romish Chappell, where several Persons, he Understands, resort on Sundays, to hear Mass openly celebrated by a Popish Priest; that he conceives the tolerating the Public Exercise of that Religion to be contrary to the Laws of England, some of which, particularly the 11th & 12th of King William the third, are extended to all His Majesty's Dominions; but those of that Perswasion here imagining they have a right to it, from some general Expressions in the Charter of Privileges granted to the Inhabitants of this Government by our late Honourable Proprietor, he was desirous to know the Sentiments of this Board on the Subject.

It was Observed hereupon, that if any part of the said Charter was inconsistent with the Laws of England, it could be of no force, as being contrary to the express terms of the Royal Charter to the Proprietary. But the Council having sate long, the Consideration hereof was adjourned till the next meeting, and the said Laws and Charters were then ordered to be laid before the Board.

E.

Omitted to be entred in the Minute of May 14th, 1734.

A Petition of divers Inhabitants of the City and County of Philadelphia, Owners of Lands or Meadow Grounds in Wicacoe, was read, setting forth that by virtue of an order of this Board, several years since, a Road was laid out from the South end of Second Street, in Philadelphia, to the Point of Land on Delaware, opposite to Glouster in New Jersey, but the same being judged not so convenient, an Order was afterward issued for reviewing it, of which no Return was made; that the said Road is now more frequented than formerly, but is in divers places enclosed by Persons through whose Lands the same was laid. And therefore, praying that some indifferent Persons may be appointed to review and lay out the said Road.

The Prayer of which Petition being granted:

IT IS ORDERED, that Ralph Assheton, James Steel, George Fitzwater, Philip Johns, Charles Cox and Joseph Wharton, or any four of them, review the said Road already laid out, and alter the same where it shall be found necessary, in such manner as may be most commodious for the Publick Service, and with as litle Damage

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as possible to those Persons through whose Lands the said Road shall run, And, with a Draught of the same, to make Report thereof to this Board.

E.

Follows the Report of Messrs. Hamilton & Georges, mentioned in the preceeding Minute of July 25th:

"To the Honourable Thomas Penn, Esq., one of the Proprietaries of the Province of Pennsylvania, and Counties of Newcastle, Kent and Sussex, on Delaware.

"Sir:

"You having been pleased to honour us with proper Powers from your Government of Pennsylvania, to treat, and if possible, to conclude with Col. Ogle, Lieutenant Governor of the Province of Maryland, on some certain Terms, by which the Peace amongst His Majesty's Subjects inhabiting near the Borders of these two Governments, where the right to the Lands have been disputed, might be secured till such time as either the Boundaries should be absolutely run, or His Majesty's Pleasure known therein, and His Commands received, we conceive it our Duty to lay before you a Narrative of what passed between the Governor of Maryland and ourselves thereupon, with Copies of the several Papers we delivered to His Excellency, and the Originals we received from him.

"We arrived at Annapolis on the twentieth of May, about sunsett; soon after coming to our Lodgings Mr. Georges and Andrew Hamilton, Junr., went to speak with our People, to wit: the Rothwells, John Hendricks, and Joshua Minshall, in Prison, but were not suffered to see them till the next Morning, when going again, they were after some time admitted to the Speech of the Prisoners, who gave them an Account of their Uneasiness, in a must unwholesome Prison, as likewise, the best Account they could of the several Charges alledged against them; soon after this, to wit: about ten of the Clock of the same Day, we waited upon Governor Ogle, at his House in Annapolis, and delivered him a Letter from the Lieutenant Governor of your Province of Pennsylvania, and at the same time acquainted him that we were sent from your Government to concert proper Measures with him for the Preservation of the Peace and good Neighbourhood between the two Governments, and to desire the Discharge of Four of our Inhabitants, who were imprisoned at Annapolis, by order of the Government of Maryland, to which he was pleased to answer, that he was mighty ready to enter into any Measures with the Government of Pennsylvania which might best answer that purpose, and at the same time took occasion to say our Inhabitants

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" were imprisoned for much greater offences than probably we were " aware of; to which we answered, that we had no other way to come " at the Knowledge of the Cause of their Imprisonment but by their " several Commitments, and by these, as we conceived, there seemed " scarce a colour for such proceedings as had been taken against " them; we added further, that supposing the offences were really " committed, and as great as his Excellency was pleased to alledge, " yet the Place where they were committed, as well as that where " the Men were taken, was clearly beyond all the former Claims " of Maryland, and therefore, it was our Opinion the Men were very " hardly dealt by.

" Governor Ogle began to enumerate the many Abuses the In- " habitants of Maryland had suffered from those of Pennsylvania, " and that since his Accession to the Government of Maryland, he " had taken all possible Care to be entirely on the Defensive side, " and was resolv'd to continue so; but at the same time said he " could not suffer Lord Baltimore's Right to be so violently incroach- " ed upon, and his Character so publickly affronted within his Lord- " ship's own Government; for, added he, we claim no bounds but " what are given to his Lordship by the express Words of his Char- " ter; however, he expressed his Willingness to enter into any rea- " sonable Measures for preserving Peace, and to shew his readiness, " proposed our meeting him in Council next day, about ten of the " Clock, at his own House, to which we readily agreed, and then he " was pleased to invite us to dine with him that day, which we did " accordingly.

" When we parted from him in the Afternoon, we applied ourselves " to the Consideration of your Instructions, and as well in Obedience " to your Commands, as to prevent any Mis-interpretation or Mis- " representation of what we should say the next day, we judged it " necessary to reduce into Writing the heads of what we were to " propose, in doing of which we were to led by the hints given us " by his Excellency the day before, to depart in some things from " the precise Form prescribed in your Instructions.

" On the twenty second day we waited on his Excellency, at his " own House, according to Appointment, where were present the " Lieutenant Governor himself, Collonel Tillghman Ward, Benja- " min Tasker and Edmund Jennings, Esqrs., with divers other Mem- " bers of Council. Governor Ogle was then pleased to inform the " Council, that he had received a Letter from the Lieutenant Gover- " nor of Pennsylvania, &c., by which he understood that we were " appointed by that Government to enter into Measures with that of " Maryland, for preventing any Misunderstanding among the People " living upon the Borders of the two Provinces, untill we could re- " ceive His Majesty's Pleasure concerning the same, and then pro- " ceeded to say how agreeable every thing was to him that had the

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" Appearance of Peace, and how carefull he had been on his part to " keep his People from committing or doing any thing that might " give Offence to the Government of Pennsylvania; that he was " glad to find our Government seemed at last to agree to what he " had long agoe proposed in his Letters to the Governor of Penn- " sylvania, (vizt,) to lay these unhappy Mis-understandings before " His Majesty, and in the mean time to forbear making any Incroach- " ments upon one another, which he thought was the most likely way " to preserve Peace among the People. Much more was said, but " all to the same purpose, yet he fixed upon nothing certain by " which the Extent of the Jurisdiction of the respective Governments " could be known. We then represented briefly, that whatever his " Excellency's Care or Knowledge might be, we were well assured " the People living under the Government of Pennsylvania had of " late been very ill used by those of Maryland, and that some of " us had lived long enough in Pennsylvania to be Witnesses of a " very different Behaviour on our part to the People of Maryland, " when under Confinement for the most violent Outrages committed " upon our Inhabitants; that one of us was personally concerned in " procuring some of the Inhabitants of Cœcil County to be discharged " without so much as paying the common Fees of their Commit- " ments, which at that time was accounted, even by the Parties " themselves, a generous Treatment on the part of Pennsylvania. " Therefore, as to what had passed before His Excellency's time, " we insisted he was not truly informed, and as to the Differences " mentioned by him since his coming to the Government, we con- " ceived in every Instance the People of Maryland were the Aggres- " sors, and in the wrong, unless it were in the single Instance of " Mousey, which (however it might turn out by the Evidences on " the part of the Prosecutors,) we thought was a silly, senseless " scuffle, much below the Notice of a Government, or Lord Propri- " etor, especially considering the Provocation on the other side.— " But as Altercations of this kind did not seem to be the way to pre- " vent such Differences for the future, we requested of his Excellency " to propose some Method, some Way or Means, by which the Bu- " siness we came about might be effected. Whereupon he said, that " he had long agoe wrote to the Governor of Pennsylva. his Thoughts " upon this Subject, and that he was still of the same Opinion; that " they ought to joyn without Delay in representing to the King the " unsettled State of the two Provinces, and the Necessity of His " Majesty's Interposition.

" We finding this Method of Treaty was not like to produce any " certain Conclusion, delivered to his Excellency a written Repre- " sentation, Vide, No. 1., which being read in Council, His Excel- " lency was pleased to say he would take time till next day to give " an Answer in Writing: we then parted.

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" In the afternoon of this day, we endeavoured to speak privately " with Hendricks, Minshall, and the two Rothwells, who were in " Prison, the Goal was so noisome we could not goe near it, but " taking with us some of the Gentlemen of Maryland, we prevailed " with the Sherif to suffer us to speak to them at his own house. " We enquired particularly into the Manner & Cause of their Com- " mittment: they all gave us the greatest Assurances that they had " never spoke any thing in Contempt of Lord Baltimore or his Gov- " ernment that they could remember; that they never had any Con- " versation with any about Lord Baltimore or his Government, but " upon their own Plantations, & Henkricks & Minshall insisted no " Person could swear any such thing against them, unless Cressap " should be so wicked, who had threatned to ruin them. We de- " pending on the Assurances given us of these Men's Innocence, " & especially that they had not been in Maryland, & so could not " be called to an Account for what they might say of Lord Balti- " more's pretentions to the Lands where they lived, were of Opinion " it would be difficult to shew any good Matter to the Provincial " Court, (which was then Sitting,) to induce the Judges to continue " them in Prison. And thereupon, we applied ourselves to consider " how they should be got into Court, especially Hendricks & Min- " shall, who were committed by the Governor & Council. An Ha- " beas Corpus we imagined would be construed by that Government " to give the Court a Jurisdiction of their Cause, and tho' we had " but little hopes to obtain a Rule of Court for their being brought " up, yet as it was the only way we could then think of, we resolved " to try that Expedient; first however, we consulted with a Gentle- " man of the Law, belonging to Maryland, one Mr. Calder, who " with great Modesty told us his Opinion of the Difficulties he appre- " hended we might meet with in the Defence of the Prisoners, which " led us into the thoughts of Employing some other Eminent Gen- " tleman of the Law, belonging to that Province, who by his Credit " with the People, and his Acquaintance with the Practice of the " Court, might be able to do the Prisoners some service, but to our " great Disappointment we found them all engaged on the side of " Lord Baltimore; at least, there was none could be prevailed on to " appear against him.

" On the twenty third day, about ten a Clock, we had Notice given " us of the Council being met, & thereupon we immediately went to " the Governor's house, where he was pleased to deliver us an An- " swer to Ours of the twenty second; Vide No. 2.

" This paper being read by the Clerk of the Council, Governor " Ogle proceeded to say, that we saw he had omitted taking Notice " of abundance of Facts stated in our Representation that he could " make appear very gross Mis-representations, both of himself and " the People of Maryland, but that he had avoided any thing of that

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" kind, lest it might give some interruption to our effecting what Mr. " Gordon had acquainted him we were come about, but at the same " time he went on to enumerate all the Differences that had happened " upon the Borders of the two Governments since his coming to Mary- " land; he began with the affair of Patterson and Lowe, at Cones- " togoe, and so went on to the Difference on the Borders of Kent " County, about the business of Newton, and then returned to the " great Abuses he said had been committed in open and manifest " Contempt of Lord Baltimore's Government, upon Mr. Cressap; " all those he sett in such Lights, and aggravated them in such man- " ner, as if he had been speaking to Men who had never heard of " them before.

" This being said with such an Air of Truth, before the Gentle- " men of Council, made us think it necessary on our part to shew " that we were no Strangers to these Facts, and that we were not " to be imposed upon by such a Representation, and so proceeded " briefly to Answer them, in the same manner they have formerly " been represented by our Governor in his Letters to Governor Ogle, " about the time when those Differences happened. And in doing " this, we were led to take Notice that all these Differences began " on the part of Maryland, and most of them at a time when least " of all it could be expected, even when Maryland was making the " strongest Professions of their readiness to execute the Articles of " Agreement for running the Lines and settling the Boundaries be- " tween the two Provinces; And how such Professions as his Excellen- " cy was then pleased to mention, and such Practices used on the part " of Maryland, could be reconciled, Governor Ogle we presumed " could best answer. Upon this he declared it was true that the " Commissioners on the part of Maryland were always willing to " execute the Articles of Agreement, and that no Men could take " more pains or shew a greater Inclination to perfect that Work " than they did, and so proceeded to mention the many Attendances " they had given at a great distance from their own homes, and in " the most severe Seasons of the year, both for Heat & Cold, but " that our insisting upon such unreasonable things on the Part of " Pennsylvania had rendered all their Endeavours ineffectual. This " being spoke to us, who were so well acquainted with the conduct " of the Commissioners of Maryland, & before some Gentlemen of " the Council, who might not know the true state of that Case, & " least, that all of them might believe that either the Person speaking " or the place where we were, or both, might awe us into a Silence " which might carry the Appearance of our allowing what was said " to be true, we put him in mind that this was no new thing in Gov- " ernor Ogle, to shew us the mean Opinion he had of some of our " Understandings, by attempting to impose upon us in the grossest

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" manner. But without entering into the reasonableness or unreasona-
" bleness of the conduct of the Commissioners of either side, we said
" there was some instances to be given of the conduct of some
" Gentlemen in Maryland, which we had never yet heard reconciled,
" to this extraordinary desire on the part of Maryland to execute the
" Articles in any sense, And that was the spreading abroad and
" fixing up publick printed Advertisements within the Counties of
" Newcastle, &c., signifying that the People who held any Lands
" within Lord Baltimore's Province of Maryland, by virtue of any
" Grants, not deriving them from Lord Baltimore, would receive no
" favour unless they speedily applied to the Government of Maryland.
" And lest these should not be understood to intend the People of the
" three Counties on Delaware, it seems due Care was taken to put
" them into hands that should explain them; but to put that matter
" beyond doubt, Governor Ogle's Letter to Parson Jones speaks plain,
" & desires the Parson to inform the People of his Lordship's cer-
" tainty of having every Inch of the three Lower Counties, & his
" Resolution to let such of the People as should behave well to his
" Lordship, enjoy their Lands for a trifle, which Gover'r. Ogle was
" pleased to say he thought was the greatest Happiness that could be
" to the People.

" To this there was no Answer made, but Governor Ogle said the
" multiplying Words signified nothing; he had made a fair Proposi-
" tion in his Paper of that day, & if we had any intention to do what
" we professed, he was ready to join with us, & repeating often the
" Words: if we had any Intention or Design to agree upon some
" Measures to preserve the Peace, & likewise offering to repeat some
" part of what he had said the day before, we thought our words &
" Meaning both much Mis-represented; & this led us to complain of
" being unkindly used, in questioning our Sincerity after what we
" had said, both by word & writing, & how necessary we thought it
" was to have some Persons present who might be Witnesses of what
" passed between us, so as to prevent our being misrepresented.—
" This drew on a long Conversation concerning the People & Offi-
" cers of the two Governments, which ended in some warmth, oc-
" casioned by the Freedom used in comparing the Officers of Penn-
" sylvania with those of Maryland, either in respect to their Au-
" thority or Understanding. But least upon our Application to the
" Court, we should be referred to the Governor to know his Pleasure,
" we judged it most proper to get him to declare himself in the Case
" of those Men, which we did accordingly, by insisting positively
" upon the Men's being discharged. Whereupon, he declared they
" were under Prosecution in the Provincial Court, which was then
" Sitting, & that he should not interpose but let the Law take its
" course, or words to that Effect. To which we answered, that as
" they were under Prosecution at the Suit of the Proprietor, & some of

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" them committed by the Governor & Council, he was the proper " Person to put a stop to any further Proceedings, but he persisting in " his having left them to the Law, & therefore would not intermeddle, " we took the Liberty to say, we wished he had not intermeddled at " all; for, as the Offences with which they were charged were of " that Nature for which any inferiour Magistrate might well have " bound them over, there could be no need of his Excellency's in- " terposition, unless it were to influence the Judges to be of his Opin- " ion when the Cause should come to be heard in Court, & so we " parted that day, after which time Governor Ogle troubled himself " no more with the formality of a Council.

" In considering Governor Ogle's Paper, after we went to our " Chamber, we were not both Satisfied that it was proper for us to " agree to join in a Representation to his Majesty, but rather that the " Proprietors themselves, or their Lieutenant Governors, should do " so, & at last we concluded upon a Paper, (vide No. 3.) the Ori- " ginal of which we delivered to Governor Ogle, at his own House, " on the twenty fourth of May; Governor Ogle received us without " any Form & with Civility, as if nothing had passed the day before; " he promised us an Answer by the next morning, & so we left him.

" We then took into our further Consideration the Case of the " Prisoners, and pursued the Measures we had before proposed, of " applying to the Court by way of Petition.

" On the twenty fifth Governor Ogle sent to our Chamber, by Mr. " Ross, the Clerk of the Council, a written Paper dated that Day, " signed by himself, (Vide No. 4.)

" As from our first waiting on Governor Ogle, we had no reason " to expect any Success in the Business we were sent to transact, we " now saw plainly by his last paper, he was resolved to evade doing " every thing that might prevent any further Differences upon the " Borders, & observing the ill use he made of our saying we were " well assured our Proprietors or their Lieutenant Governor would " readily join in a Representation to His Majesty, & that he had con- " strued these words into our thinking ourselves not sufficiently " qualified to join with him in what he called his just and reasonable " Propositions, We, to remove that objection, drew up a Paper & " delivered the same to him, on the twenty seventh of May, & which " would have been delivered sooner, but we were obliged to give our " Attendance at Court, where the Case of the Prisoners was then " under Consideration, Vide our Paper delivered this day, No. 5.

" After this we heard no more from Governor Ogle, tho' we staid " till the thirtieth of the Month; in the meantime, we made the most " pressing Instances to the Provincial Court, to have our People dis- " charged, but that could not be granted, lest it should be understood

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" as giving up his Lordship's Right to the Lands in Question, as " appears by the Minutes of these Men's Case, taken at the hearing, " & to which we begg leave to referr, so being denied any Relief " for the Prisoners by the Provincial Court, & Governor Ogle having " taken no Notice of what we said or proposed in our Paper of the " twenty seventh, we thought a longer stay could be to no Purpose, " and therefore, agreeable to your Instructions, we resolved, before " we should leave that place to represent to Governor Ogle the just " Reason your Government had to complain of the unwarrantable " Proceedings of Maryland, & the absolute Necessity they were " under to take proper Measures for the protection of His Majesty's " Subjects under the Government of Pennsylvania & three lower " Counties, & accordingly, on the thirtieth of the Month we drew up " a Memorial in the best Manner we could, in so short a time; but " Governor Ogle being said to be indisposed that day, John Georges " and Andrew Hamilton, Junr., (his Father being indisposed with the " Gout,) waited on Governor Ogle the next morning, being the thirty " first day of May, & delivered to him a Memorial in writing, in be- " half of your Government, which he received, & without reading " it desired his Compliments might be made to Mr. Gordon, & all " those that he knew at Philadelphia, & wished us a safe return, " &c.

" Upon coming back to our Chamber, Richard Bennet & James " Holliday, Esqr., one of the Provincial Judges, happened to be with " Andrew Hamilton, & Mr. Holliday readily agreed to take the Oath " of John Georges & Andrew Hamilton, Junr., to the delivery of the " said Memorial to Governor Ogle, which Memorial, with the sworn " Certificate of its Delivery, is contained in No. 6.

" The foregoing is a brief Account of what passed between Gov- " ernor Ogle & us at Annapolis; the written Papers herein referred " to are their own Evidences, & the other Facts, tho' they may not " be related so largely, or in the very same Words in which they " were spoken, are yet so far true in Substance as they are here set " forth. We are,

Sir, Your most obedient & most humble Servts.

" A. HAMILTON,
" JOHN GEORGES."

Philadelphia, 15 June, 1734.
E.

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Papers referred to in the foregoing Report.
" No. 1.

" To His Excellency Samuel Ogle, Esqr., Lieutenant Governor of " the Province of Maryland.

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" Sir:

" The Government of Pennsylvania observing with much Concern " the late Proceedings of the Government of Maryland against some " of His Majesty's Subjects inhabiting the said Province of Pennsyl- " vania, & Counties of Newcastle, Kent & Sussex on Delaware, " hath ordered us to represent to you, that the Province of Mary- " land & the Province of Pennsylvania, with the Counties aforesaid, " having never hitherto had their Bounds (lying contiguous to each " other) so certainly determined or fixed but that there has always " been Room for Disputes between the Borderers on both sides, con- " cerning their Claims & Possessions, and that divers such Disputes " have happened, which have occasioned Complaints, to the great " Uneasiness of the respective Proprietaries; For remedying of " of which Inconveniences it was mutually stipulated in February " 1723-4, between the present Lord Proprietary of Maryland & the " late Mrs. Penn, as Executrix of the last Will & Testament of the " late Honourable William Penn, Esqr., Proprietor of the Province " of Pennsylvania & Counties aforsd: " That for avoiding all " manner of Contention or Differences between the Inhabitants of " the said Provinces, no Person or Persons should be disturbed or " molested in their Possessions on either side, nor any Lands be sur- " veyed, taken up or granted, in either of the said Provinces, near " the Boundaries, which have been claimed or pretended to on either " side;" which Agreement was to continue for the space of eighteen " Months from the Date thereof, In which time it was hoped the Boun- " daries would be determined & settled. But tho' the said Bounda- " ries were not settled within that time, yet the Governors of both " Provinces being convinced of the Obligations they were under to " preserve the Peace between His Majesty's Subjects, thought them- " selves obliged to act Agreeably to that Stipulation, only as to that " part of it relating to new Surveys. We take leave to say the same " was not so strictly observed on the Part of Maryland, and after- " wards, for the putting a friendly End & Accommodation to the " said Disputes & Differences, upon some Overtures made by the " Right Honble the Lord Baltimore, Articles of Agreement between " his Lordship & the present Proprietaries of Pennsylvania & said " Counties, were made & concluded in the year 1732, and Persons " appointed for the executing of the same, agreeable to the Tenour " of the said Articles. In which agreement a most carefull Provi- " sion was made for the Ease & Security of all His Majesty's Sub- " jects, whose Estates or Possessions should be affected by the same. " And altho' the said Articles happen'd not to be executed, yet it " cannot be denied but that the Description of the Southern Boun- " daries of Pennsylvania may be very nearly discovered without

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" new actual Surveys. Notwithstanding which, two of his Majes-
" ty's Subjects, to wit: John Hendricks & Joshua Minshall, Inhab-
" itants of Lancaster County, setled upon Lands legally Surveyed
" and patented to them, under the Proprietors of Pennsylvania, on
" the west side of Sasquehannah, have been taken at their own Hous-
" es, which are at least eight Miles to the Northward of Philadelphia,
" & about twenty three to the Northward of the Line agreed upon
" by the aforesaid Articles, to be the Northern Bounds of Maryland,
" which Line runs near the Mouth of Octarara Creek, to the North-
" ward of which Maryland has never exercised any Jurisdiction,
" except over three Families, that is known to Pennsylvania, till
" within these 2 or 3 years, about the time when an absolute Boun-
" dary was agreed upon by the Proprietors, tho' Pennsylvania has
" maintained its Government as far Southward as the Mouth of the
" said Creek for above these thirty years. And, as if the Governor of
" Maryland had resolved to put His Majesty's Subjects within the
" Province of Pennsylvania & the said Counties under the greatest
" Hardships, Two other Persons, to wit: Thomas Rothwell, junr.,
" & Jared Rothwell, Inhabitants of Newcastle County, seated upon
" a Tract of Land legally surveyed under the Proprietors of Penn-
" sylvania & Counties aforesaid, about Forty eight years ago, &
" actually settled above twenty years ago, by Persons who have
" constantly done Suit & Service in the County of Newcastle, (and
" to which the Inhabitants of Maryland can lay no Claim, that we
" know of, unless by some late Survey, which can operate nothing
" in this Case,) have been taken from their own Habitations, within
" the said County of Newcastle, where they settled & lived in peace,
" without the least Offence given to any Person, by the Officers of
" Maryland, & forcibly carried to Annapolis, & kept in Goal under
" very severe Confinement, to this day, on pretence of their being
" guilty of violently encroaching into some Lands lying in Cœcil Coun-
" ty, held under the Rt. Honble the Lord Proprietary of Maryland,
" which they claim under the Proprietaries of Pennsylvania. Which
" proceedings We conceive to be very extraordinary, especially at a
" Time when, tho' the Lines agreed upon by the Articles are not
" actually run, yet are by that Agreement so well ascertained, that
" unless it be resolved upon to disregard every thing that has for-
" merly been observed for the Preservation of the Peace between
" the two Governments, there can be no Room for such Measures as
" have been taken in the Case of the Persons before mentioned.—
" But as it is not certainly known to the Government of Pennsylva-
" nia, how far that of Maryland is acquainted with these Proceed-

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" ings, We take leave to say that the above Facts, as far as We can " judge or be inform'd, are truly represented, & therefore conceive it " our Duty to request your Orders for the Discharge of the Persons " before mentioned, who are imprisoned by the Authority of your " Government. And likewise, that altho' the Lines between the two " Governments be not actually run, Yet, as it is most necessary " that for the Preservation of the Peace there should be some cer- " tain Jurisdiction, that every Person may know to what Laws & " Magistracy He is accountable, We do, on Behalf of the Govern- " ment of Pennsylva. & the Counties of Newcastle, Kent & Sussex, " on Delaware, earnestly request that you will be pleased to concurr " with that Government in Measures by which the Peace amongst " all His Majesty's Subjects, (in that part of the Country to which " the Right has been disputed,) may be secured untill such time as " the Boundaries be absolutely run, or till His Majesty's pleasure be " known therein, which 'tis conceived may very easily be done in a " Manner that shall not prejudice the Claims of either Proprietor.— " And this 'tis hoped, will be thought both just & necessary, for as " much as not only the Preservation of the Peace is a principal Duty " which both Governments equally owe to His Majesty, But be- " cause such Proceedings against innocent Persons are contrary to the " Laws of Humanity, & can contribute nothing to the putting an End " to any Disputes that may subsist between the Proprietors of Penn- " sylvania and of Maryland, about the Bounds of their respective " Provinces.

" We are,
" Sir,
" Your Excellency's
" Most obedient & most humble Serv'ts.
" A. HAMILTON,
" JOHN GEORGES."

Annapolis,
22d May, 1734.
E.

—

" No. 2.

" Gentlemen :

" As the Governor of Pennsylvania, by his Letter of the 14th " Instant, delivered by yourselves, acquainted me that you were ap- " pointed to treat with me on the subject of establishing Peace on the " mutual Borders of the two Provinces, & secureing the Peace of His " Majesty's Subjects, till such Time as His Majesty can be applied to,

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" and His Pleasure known therein, I must assure you that nothing " could be more agreeable to my Sincere Wishes & constant Resolu- " tions, than that Design of your coming hither. And to satisfy you " that I act as I profess, I shall purposely omit taking Notice of the ma- " ny Suggestions contained in your Paper of this day, delivered to " me, lest the Necessity I should be under in Answer thereto, of " shewing the very palpable Mis-representations therein, might pre- " vent, or at least delay the good Effect of our amicable Dispositions. " And therefore, I shall only desire you will immediately join with " me in an Application to His Most Gracious Majesty, with our hum- " ble & dutifull Request, that he will be pleased to take into His just and " wise Consideration, the Mischiefs arising from the Uncertainties of " the Boundaries of our respective Governments, & determine & fix " the same as He in His Wisdom & Justice shall be graciously " pleased to order and direct.

" And further, I am very willing, not only by our joint Endeavours " to remove & discourage any new Settlements on the Borders, which " have been made since my Administration of this Government, but " also by Proclamations in each Government, to forbid & deter any " Person within our respective Governments from making any other " new Settlements on the Borders until His Majesty's Pleasure shall " be known therein, pursuant to such Application. And I hope this " appears so reasonable & proper, that you will, on the Part of the " Government of Pennsylvania, readily concur herein with,

" Gentlemen,

" Your most humble Serv't.

" SAM. OGLE.

" Annapolis,

" 23d of May, 1734."

This was enclosed & addressed:

" To

" Andrew Hamilton & John Georges, Esqrs."

Esq!

" No. 3.

" To His Excellency Samuel Ogle, Esqr., Lieutenant Governor " of the Province of Maryland:

" Sir:

" It is with great Satisfaction We find in your Paper delivered to " us yesterday, such a Readiness to join with the Governor of Penn- " sylvania in Measures that may preserve the Peace amongst His

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" Majesty's Subjects living upon the Borders of the two Governments,
" and We, on the part of Pennsylvania, do assure your Excellency,
" that as it was for this good Purpose we were sent here, so we are
" now ready to agree upon any Bounds that shall be judg'd reasona-
" ble, for limiting the present Jurisdiction of the two Governments,
" without prejudice to the Right of the Proprietors thereof; And
" that Proclamations shall be issued to forbid all Persons within the
" respective Governments from making any new Settlements near the
" Borders, on the severest Penalties. And We are ready further, to
" agree to remove any new Settlements that have been made upon
" such Bounds as shall be agreed upon, lest the same may disturb
" the Quiet of either Government, untill the Boundaries be actually
" settled between the Proprietors themselves, or untill His Majesty's
" Pleasure be known therein. And as we are well assured a Repre-
" sentation to His Majesty will be most agreeable to our Government,
" we do not in the least doubt but that our Proprietors, or their Lieu-
" tenant Governor, will readily joyn with the Rt. Honble the Lord
" Proprietor of Maryland, or yourself, in such a one as may best
" conduce to put an end to the Misunderstandings that have arisen
" between the two Governments, by Reason of the present Uncer-
" tainty of the respective Boundaries.

" We are,
" Sir,
" Your Excellency's
" Most obedient & most humble Servts.
" A. HAMILTON,
" JOHN GEORGES

" Annapolis,
" 24th May, 1734."

E.

—

" No. 4.

" To Andrew Hamilton and John Georges, Esqrs:

" I had great Pleasure in believing, as well by the Letter from the
" Governor of Pennsylvania as by your Paper of the 22d Instant,
" that you were invested with sufficient Powers to agree to any rea-
" sonable Proposals for the accommodating the present Disputes, &
" preventing any of the like kind for the future, And upon this
" Hope, I offered the particular Methods mentioned in mine of the
" 23d Instant, as very reasonable, & the most proper for those desi-
" rable Ends. But since to my very great concern, I perceive by
" your Paper of yesterday's date, delivered to me this day, that you

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" think yourselves not sufficiently authorized to joyn with me in my " just and reasonable Propositions, I can only hope, that on your " Return to Pennsylvania you will receive more ample Powers for " your Agreement with,

" Gentlemen,

" Your most humble Servant,

" SAM. OGLE.

" Annapolis,

" 25th May, 1734.

E.

—

" No. 5.

" To His Excellency Samuel Ogle, Esqr. Lieutenant Governor of " the Province of Maryland:

" Sir:

" We had no reason to doubt but the Satisfaction we expressed in " our Paper of the 24th Inst. at the Offers you were pleased to make " of joining with us in such Measures as might preserve the Peace " amongst the Inhabitants living upon the Borders of the two Gov- " ernments, must have convinced your Excellency that We conceived " ourselves fully authorized to do whatever might tend to the accom- " plishing that necessary Work. For tho' we were, as we still are " of Opinion, that Measures might be taken for preventing any fur- " ther Disturbances upon the Borders, without any Representation " to His Majesty, and that it would be most proper for the Proprietors " of the Provinces of Maryland & Pennsylvania, or their Lieuten- " ant Governors, to join in such a Representation as they should agree " upon; Yet rather than so good a Work as the restoring Peace to " the Inhabitants of the two Governments should be delayed, We " are ready on the part of Pennsylvania, (at the same time that We " agree upon some reasonable Boundaries for limiting the Jurisdic- " tion of the two Governments,) to joyn with your Excellency in a " just Representation to His Majesty, of the Uncertainty of the " present Boundaries between the two Governments, occasioned by " not executing the Articles of Agreement, solemnly Entered into " & concluded between the Right Honble the Lord Proprietor of Ma- " ryland & the Honble the Proprietor of Pennsylvania & Counties " of Newcastle, Kent & Sussex on Delaware, in May, 1732; And " to pray His Majesty, that He will be graciously pleased to inter- " pose & Enjoin the Execution of the said Agreement, according " to the true Intent & Meaning thereof, in such Manner as His

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" Majesty shall please to direct. In which Representation We hope
" your Excellency will readily agree with,

" Sir,

" Your Excellency's

" Most obedient humble Servants,

" A. HAMILTON,

" JOHN GEORGES.

" Annapolis,

" 27th May, 1734."

E.

—

" No. 6.

" To His Excellency Samuel Ogle, Esqr., Lieutenant Governor of
" the Province of Maryland.

" Sir :

" It would be an unnecessary trouble again to repeat the several
" Applications that have been made by us on the Part of the Govern-
" mt. of Pennsylvania to your Excellency, for your Concurrence in
" Measures to preserve the Peace amongst His Majesty's Subjects
" living upon the Borders of Maryland & Pennsylvania, &c., & which
" We conceived could best be done by agreeing upon some Bounds
" for limiting the present Jurisdiction of both Governments, untill
" His Majesty's Pleasure should be known therein, without prejudice
" to the Right of the Proprietors thereof.

" This will appear abundantly plain, by the Several written Repre-
" sentations which we have delivered to your Excellency since our
" coming to this place, on the 20th Inst., and it will likewise appear
" by the Several papers we have received from your Excellency, on
" the Part of Maryland, in what manner you have answered our Re-
" quest.

" Our Endeavours with your Excellency for discharging four of
" the Inhabitants of Pennsylvania & Counties of Newcastle, Kent
" & Sussex on Delaware, taken by Order of your Government from
" their own Dwellings, within the Government of Pennsylvania, were
" entirely disregarded, & we referred to the Courts of Law, where
" you was pleased to say those Persons were under Prosecution, tho'
" it is manifest that two of them, (vizt :) Thomas Rothwell, Junr.,
" & Jared Rothwell, have been settled upon Five hundred Acres of
" Land granted under the Honble William Penn, Esqr., late Proprie-
" tor of the Province of Pennsylva., & the Counties aforesaid, by his
" Commissioners of Property, about forty eight years ago, & po-
" sessed under the said Government above twenty years, by the said
" Rothwells & their Father, who have constantly done Suit &

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" Service to the County of Newcastle, & without Interruption from " any Person, except by one James Heath, lately deceased, who laid " Claim to some Part of the said Lands by a very late Survey " made in Right of Maryland; And others of the said Persons, " (vizt:) John Hendricks & Joshua Minshall, are settled upon Lands " in Lancaster County, in the said Province of Pennsylvania, held " under the Proprietors thereof, at least eight Miles to the North- " ward of Philadelphia, & twenty three to the Northward of the " Bounds agreed upon by the Lord Baltimore & the Proprietors of " Pennsylvania, in the year 1732. And that We might leave no " Means unattempted for the Relief of these injured Men, (who have " been most unwarrantably confined in a loathsome Goal above " three Months, from their own Houses, & in a strange Place, with- " out any means to subsist on,) We applied to your Provincial Court, " & in order to induce that Court to discharge the Prisoners, We " shew'd, as we conceive, in the clearest Manner, that the Lands " upon which these Men live & were taken, are not within the Pro- " vince of Maryland. We made it manifest that in the year 1632, " (the time when Lord Baltimore obtained his Patent from the Crown,) " & long before the Dutch & Sweeds were possessed of all that " Tract of Land on the West side of Delaware Bay & River, now " called the Counties of Newcastle, Kent & Sussex on Delaware— " And that the same Lands in 1664, were taken from the Dutch by " the English, & afterwards retaken from the English by the Dutch, " & in the year 1674, finally surrendered to the English; And that " Lord Baltimore never had possession of the said Tract of Land to " this day, but hath Subsisting against him, upon his two several Peti- " tions, two solemn Decisions, vizt: one made in Council in the year " 1685 by His Majesty, King James the 2d, & the other by Her " late Majesty, Queen Anne, in Council, in the year 1709, by both " which He stands excluded from any Pretence of Right to the said " three lower Counties.

" It was further stated to the said Provincial Court, that Lord " Baltimore had, in the year 1683, taken upon him to determine the " Northern Bounds of his own Province, without the Consent of the " Proprietary of Pensylvania, by running a Line from the Mouth of " Octorara Creek, (which falls into the River Sasquehannah,) East- " ward to the River Delaware, And that in the year 1742, by Ar- " ticles of Agreement solemnly concluded between the Lord Proprie- " tary of Maryland & the Proprietaries of Pennsylva., the Bounds " of the two Governments were so certainly describ'd that the South- " ern Bounds of Pennsylvania, & consequently the Northern Bounds " of Maryland, cou'd be very nearly discovered, tho' the Lines were " not actually run; And that Joshua Minshall & John Hendricks " were arrested by the Officers of Maryland, at their own Dwellings, " which is about twenty three Miles to the Northward of both the

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" Octorara Line, commonly called Lord Baltimore's Line, & the " Place where it is well known the East & West Line agreed upon " by the said Articles, to be run at the distance of fifteen Miles South " of the City of Philadelphia, will fall.

" This was represented with the greatest plainess, & that if neither " the Bounds which Lord Baltimore had set to Himself so long ago " as the year 1683, nor the Bounds so lately concluded upon by " both Proprietors, cou'd limit Lord Baltimore's Jurisdiction, then " it was plain there is no part of Pennsylvania, how remote or " distant soever the same may be from Maryland, but what is lyable " to be claimed by Lord Baltimore, & the Persons who have honestly " purchased Lands & improved the same, may, upon pretence " of some disregard shewn to Lord Baltimore's Character or Gov- " ernment, be forcibly taken from their Dwellings & imprisoned with " the greatest severity. But so it was, lest his Lordship's Claim to " the Lands upon which the aforesd. Hendricks, &c. lived, should " be thought to be given up by the discharge of the said Prisoners, " they were denied to be relieved by the said Court, & now its required " theyshould plead to the Several Informations exhibited against them, " & submit to have it tried by a Jury of Maryland, whether the Lands " upon which they live lye within the Province of Pennsylvania.

" Thus having, on the part of the Government of Pennsylvania, " tho' in vain, us'd all Means in our power to be in some measure " relieved from those Injuries & Violences done to its Inhabitants, & " to procure the Concurrence of the Government of Maryland in " Measures to preserve the Peace between His Majesty's Subjects " inhabiting near the Borders of the two Governments, untill the " Lines should be actually run by the Proprietors themselves, or till " His Majesty's pleasure shall be known therein, yet being perswa- " ded that such Proceedings by the Governmt. of Maryland, which " is a dependant Government, as well as that of Pennsylvania, & " Equally accountable to His Majesty for its Conduct, are not only " contrary to that Faith & Duty we all owe to His said Majesty, but " even to the Laws of natural Equity, in taking upon them to judge " in their own Case, & by that means to determine the right of their " Neighbours, which manifestly tends to destroy that Peace which " ought to be preserved amongst His Majesty's Subjects, & to ren- " der the Rights of the Inhabitants of the said Province of Pennsyl- " vania & Counties aforesaid, as well as the safety of their Persons, " uncertain & precarious.

" It is therefore hoped that none who entertain any just Notions " of the Rights of Mankind, will blame the Government of Penn- " sylvania, if they take proper Measures for Protecting His Majes- " ty's Subjects under their Jurisdiction, from the outrages so

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" frequently committed upon them by the People of Maryland, and by " dutifull Representation of their great patience under these publick " Abuses, implore His Majesty's most gracious Interposition. And " if, in the mean time, should the Government of Pennsylvania " (whose principles are well known to be against all Force, & who " next to His Majesty's protection, have no means to defend them- " selves but the Authority of the Civil Magistrate,) be laid under a " Necessity for their own Safety, of doing what may be deemed " unneighbourly, or to give trouble or uneasiness to His Majesty's " Subjects pretending themselves to be under the Government of " Maryland, We do declare that it will be entirely owing to your " Excellency's not joyning with us in some reasonable & Equitable " Measures for preserving the Peace amongst His Majesty's Subjects " inhabiting near the Borders of the two Governments, & the un- " reasonable Confinement & Prosecution of our Inhabitants, who " were without all Question taken by your Officers within our Gov- " ernment of Pennsylvania, & for that Reason, had they really " been guilty of any Offence, ought to have been discharged.

" We are,

" Sir,

" Your Excellency's

" Most obedient humble Servants,

" A. HAMILTON,

" JOHN GEORGES.

" Annapolis,

" 30th May, 1734."

E.

" City of Annapolis, in the Province of Maryland, May 31st, " 1734.

" Then came before me James Holliday, Esquire, one of the " Judges of the Provincial Court of Maryland, John Georges of " Philadelphia, Gent., and Andrew Hamilton, of the said City, " Junior, (being now at Annapolis, aforesaid,) and being sworn " on the Holy Evangelists of Almighty God, did severally declare, " And the said John Georges doth declare, that he delivered this " Day to his Excellency Samuel Ogle, Esqr., Governor of Mary- " land, the Original of the within Paper, signed Andrew Hamilton " & John Georges; and the said Andrew Hamilton, Junr., doth " say, that he wrote the Original of which the within is a true " Copy, and was present and saw John Georges deliver the said

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" Original Paper to the said Samuel Ogle, Esquire, at his own " House, at Annapolis, the day & year abovesd. And further " they say not. Sworn this 31st. day of May, Anno Dom. 1734, " before me.

" JA. HOLLYDAY."

E.

At a Council held at Philadelphia, July 31st, 1734.

PRESENT:

The Honourable PATRICK GORDON, Esquire, Lieutenant Governor.

James Logan, Samuel Preston, Clement Plumsted, Samuel Hasell, Charles Read. } Esquires.

The Minute of the preceeding Council being read and approved:

The Consideration of what the Governor had then laid before the Board touching the Popish Chappell, was resumed, & the Charter of Priviledges with the Law of this Province concerning Liberty, being read, & likewise the Statute of the 11th & 12th of King William the 3d Chap. 4th, It was questioned whether the said Statute, notwithstanding the general Words in it " all others His Majesty's Dominions," did extend to the Plantations in America, & admitting it did, whether any Prosecution could be carried on here by virtue thereof, while the aforesaid Law of this Province, pass'd so long since as the 4th year of Her late Majesty Queen Anne, which is about five years posterior to the said Statute, stands unrepealed.— And under this Difficulty of concluding on any thing certain in the present case, it is left to the Governor, if he thinks fitt, to represent the matter to our Superiors at home, for their Advice and Directions in it.

The Governor then laid before the Board a Letter he lately received from the Governor of Virginia, which being read is in these Words:

" Dear Sir:

" Virginia, July 13, 1733.

" It is with great Concern that I find myself obliged to write to " you on a Subject disagreeable to us both. In April last, a strag- " ling Party of Indians passing thro' our Frontiers, came to a House " in Spotsilvania County, where finding only a Poor Man and " his Wife, they Murdered and Scalped them both. It was some " time before it was known who the Murderers were, but I have " now certain Information that they were of that Nation called the

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"Conay Indians, who live in your Government, for so they ac-
"knowledged to several of the Inhabitants on the back of our
"Mountains, to whom they owned the Fact, and shew'd the Scalps.
"Now my worthy Friend, what I have to request of you is, that
"you will take such Measures as you judge most effectual for bring-
"ing these Villains to Punishment, and if their Nation can be in-
"duced to deliver them up to this Government, I shall be very ready
"to give them an handsome Reward, which I entreat you will be
"pleased to promise them, in my Name, and withal to Caution them
"for the Future from coming among our Inhabitants without your
"Passport, without which they will be treated as Enemies, accord-
"ing to the Terms of our Treaty with the six Nations, under whose
"Protection they pretend to shelter themselves.

"I rec'd your obliging Letter by Mr. Phinney, and if the Weather
"was not in the hot extream, would say more than my humble ser
"vice to every Body, particularly to your A. General, who never was
"suspected of a fault, tho' I own I am glad he thought he was, for
"the sake of that elegant and polite Apology he made in a Letter he
"was so kind to write.

"I am always,

"Your most affectionate and most faithfull humble servt.

"WILL. GOOCH."

"For His Majesty's Service,

"To The Honourable The Governor of Pennsylvania."

Whereupon it was observed that this Murther, tho' said to be committed in April last, yet from many concurring Circumstances, may very probably be the same which was charged on that Nation of Indians about fourteen months since, & the Minutes of what passed between this Government & the Indians on that Subject being produced & read, It is the Opinion of the Board, that Extracts of these should be sent to the Governor of Virginia, & that it should be Enquired whether the fact is so recent as April last, or whether it is not the same with that mentioned in these Minutes, and that in the mean time the Governor should take the most proper & prudent measures for discovering the guilty Persons, that they may be secured and brought to condign Punishment.

E.

—

August 10th.

The Governor wrote a Letter to Mr. Gooch, of which the Copy follows:

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" Dear Sir:

" I am heartily sorry for the occasion of your last Letter touching " the Murther committed by the Conay (or as we write them Gana- " wese,) Indians, which I no sooner read, than from many concur- " ring Circumstances, I concluded it to be the same fact which had " been charged on them about fourteen months since. What pains " this Government took to Enquire into that matter, & how the " Indians acquitted themselves, you will see by the inclosed Ex- " tracts from the Minutes of our Conferrences with them on that " subject, and as no Complaint came from Virginia, what was said " in their Justification had the greater Weight & more easily obtain- " ed Credit with us. But the time differing from that mentioned in " your Letter, to witt: last April, which probably has been mistaken " for April 1733, I must beg you to satisfy me in this Point before " I proceed farther in the Affair. In the mean time I have dispatched " orders to the Magistrates living nearest to the settlements of those " Indians to goe amongst them, & without causing Suspicion or " alarming them, to make such proper Enquiries as may facilitate " the Execution of those Measures I shall take for bringing the " Offenders to Punishment, & you may be assured that nothing " in my Power, for this End, shall be wanting.

" I beg mine & my family's Compliments may be made to my " good friends with you, & I am very truly,

" Sr,

" Your most affectionate and oblig'd humble Servant,

" P. GORDON.

" For His Majesty's Service,

" To The Honble William Gooch, Esq.,

" Governor of Virginia.

F.

17th.

A Bill having been last night sent up to the Governor from the House Entituled:

An Act the more effectually to prevent the erecting of Weirs, Damms, &c., within the River Schuylkill:

A Council was summoned to meet this forenoon to consider the same; but none of the Members attending, except Clement Plumsted & Thomas Laurence, Esqrs., The Governor with these Gentlemen went thro' the said Bill, which being agreed to, was ordered to be sent down to the House.

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In the afternoon of the same day:

The House sent by two Members a Representation to the Governor, which with His Answer thereto is as follows:

"To the Honourable Patrick Gordon, Esqr., Lieutenant Gover-
"nor of the Province of Pennsylvania, &c.

"The Representatives of the said Province, in General Assembly
"met,

"Humbly Shew:

"When we consider that the People of the Province of Pennsyl-
"vania have, from its first settlement, by their peaceable Behaviour,
"(agreeable to the Principles they profess,) maintained in general,
"a good Understanding with all their Neighbours, It is with great
"Concern we find ourselves obliged at this time, to represent to the
"Governor the Hardships which many of our peaceable Inhabitants
"living near the Borders of Maryland have suffered from that Gov-
"ernment, on Pretence only as far as we can be informed, of denying
"their being Subject to the Authority of the Proprietor of Maryland.
"Tho' we have been greatly disappointed in the reasonable Hopes
"we had that all Disputes about the Bounds of the Provinces of
"Pennsylvania and Maryland should, e'er this Time, have been at
"an End, yet we hope the People who have settled and improved
"Lands under the Grants of the Proprietor of Pennsylvania, and
"within the constant reputed Bounds of this Province, and who
"have never owned any other Authority but the Government of
"Pennsylva. ought to be protected in the Possession of their Freeholds,
"until it shall appear by some legal Decision or Determination that
"they are subject to some other Authority: And as this Province
"owns no other Force but the lawful Power of the Civil Magis-
"trate,

"We humbly request that the Governor will be pleased to give
"Directions to the Magistrates and other Officers of this Government,
"that they will exert themselves in the protection of the People of
"this Province, by a diligent Execution of the Laws against Riots
"and Tumults, and for the Preservation of the Peace within their
"respective Jurisdictions.

"Sign'd p. Order of the House,
"JER. LANGHORNE, Speaker."

—

The Governor's Answer.

"Gentlemen:

"I observe with pleasure the Concern of your House for the
"Peace & Security of the good People whom you Represent, and
"you may be assured I will enforce as far as in me lies, the due

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" Execution of the Laws, by giving special Directions herein to the " Magistrates & Officers within my Government.

" The Speaker and the whole House waited on the Governor, & " presenting the aforesaid Bill to prevent the Erecting of Wears, " Damms, &c., the same was past into a Law of this Province, & " the Great Seal was ordered to be affixed thereto."

The Speaker then delivered to the Governor an Order on the Trustees of the General Loan Office for Four hundred pounds, the Remainder of the Support for this year. His Honour having thank'd the House for the same they withdrew.

E.

August 19th.

Upon the foregoing Representation of the Assembly, the Governor was pleased to write Letters of this day's date to the Justices of the Counties of Chester, Lancaster, and of Newcastle, Kent & Sussex, on Delaware, in these Words:

" Gentlemen:

" You are not, I believe, unsensible how much the whole Country " has been disappoint'd in the just hopes which had been entertained " of seeing a final Period put to those long depending Disputes be- " tween this Government & that of Maryland, touching their respec- " tive boundaries, by the Execution of the Solemn Agreement con- " cluded between the Proprietaries of each. It is however no small " Satisfaction to me, that I can now acquaint you that this Agree- " ment, with the Proceedings of the Commissioners thereon, having " been laid before His Majesty's Attorney & Sollicitor General, we " have had the Pleasure of lately receiving their Opinions, that the " Agreement still remains valid and binding on both Proprietaries, " altho' their Commissioners, by Reason of Difference in Sentiments, " have not carried it into Execution. Now as the Northern bounds, " formerly sett by the Lord Baltimore to himself, differ not much from " those lately agreed upon, I know not how we can judge better or " with more certainty, of any bounds by which we can limit our " present Jurisdiction, than near the place where it is known they " will fall when the Lines shall be actually run.

" In the mean time, that a stop may be putt to any further Insults " on the People of this Government, and to Incroachments on Lands " within the Bounds of the same, I am again to renew to you those " pressing Instances I have repeatedly made, that agreeable to the " Duty of your Stations, you exert your utmost Endeavours for pre- " serving Peace throughout your County, and protecting all the

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" Inhabitants in their just Right and Possessions, in the legal & ne-
" cessary defence of which every person ought to be encouraged
" to appear with Boldness, and to be assured of receiving all the
" Countenance that lawfull Authority can give. And as the late
" Disturbances have been in a great measure owing to the unjust
" Attempts of those, who pretending Right to, or claiming disputed
" Lands, under that pretence have come many miles into this Pro-
" vince, and with force possessed themselves of Lands for which
" they can have no lawfull Grant from any other Persons but our
" Honourable Proprietors only, and have likewise committed very
" great Violences upon Sundry of our Inhabitants, You are to give
" strict Orders for apprehending & securing all such who have been
" Principals or Accessaries therein, as well as those who hereafter
" shall presume to offer any Injury to the Persons or Professions of
" His Majesty's peaceable Subjects, or encroach on any Lands within
" the known & reputed Limits of your County, that they may be
" brought to condign Punishment. But as in the year 1724, it was
" agreed "that for avoiding all manner of Contention or Difference
" between the Inhabitants of the two Provinces, no Person or Per-
" sons should be disturbed or molested in their Possessions they then
" held on either side," you are desired still to have a particular Re-
" gard to those entituled to the benefit of that Agreement, while they
" behave themselves peaceably.

" And to the End that these directions be punctually observed and
" complied with, you are to order the Sherif of the County, with his
" Officers, frequently to visit your Borders, and those parts where
" either late Disturbances have happened, or any thing to the Pre-
" judice of the People is like to be attempted, giving all needfull
" Assistance wherever it may be requisite. I should likewise promise
" myself much good from some of your Number making a Pro-
" gress thro' these parts, when your Conveniency would admitt, or
" any Exigency may requre it, depending on your Prudence, that
" whatever measures you shall take for the Defence of the Inhabit-
" ants, and for seizing and securing Offenders, will be such as that
" we may be at no Loss whenever called upon to justify them.

" I am,
" Gent.,
" Your Loving Friend, and humble Servt.
" P. GORDON."

At the Courthouse of Philadelphia, September the 12th, 1734.

PRESENT:

The Honourable the Lieutenant Governor.
The Mayor of the City and others of the Magistracy.

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Eighty nine Palatines who, with their Families, making in all two hundred sixty one Persons, were imported here in the Ship Saint Andrew, John Stedman, Master, from Rotterdam, but last from Plymouth, as by Clearance from thence, this day took and subscribed the Effect of the Government Oaths, and also the Declaration prescribed by the Order of Council of the 21st of September, 1727, and their Names are as follows:

Christopher Weigner,
Melchior Heibner,
George Heibner,
George Krieble,
Baltzar Jackell,
George Jackell,
Christopher Shoebart,
Melchior Krieble, Senr.
Caspar Krieble,
George Ander,
Baltzar Hoffman,
Melchior Krieble, junr.
Abraham Jackell,
George Hoffman, Senr.
Baltzar Hoffman, junr.
George Rinnald,
Hans Weigner,
George Weigner,
Melchior Weigner,
Baltzar Jackell,
Caspar Jackell,
Jeremias Jackell,
Christopher Jackell,
Gregorius Meisther,
Christopher Reinwalt,
Hans Henrich Jackell,
George Mentzell,
Melchior Mentzell,
Melchior Newman,
Tobias Herttranft,
George Weys,
Caspar Heydrich,
Baltzar Heydrich,
Christopher Newman,
Matthias Jackell,
George Sholtze,
Christopher Weigner,
Christopher Jackell,
George Anders,
David Seibt,
Christopher Seibt,
George Heydrich,
Gergorius Sholtze,
David Meschter,
George Dreyher,
Christopher Dreyher, junr.
Melchior Meschter, junr.,
Baltzar Anders,
George Sholtze,
Melchior Sholtze,
Christopher Sholtze,
Caspar John,
Friedrich Scheps,
H. Lutwigh Urdans,
Barnhard Steinbach,
Christopher Paus,
George Bansch,
Hans Hubner,
David Shoebart,
Wilhelm Pott,
Degenhart Pott,
Wilhelmus Witzen,
Johannes Van Dulike,
Peter Shoemaker,
Jacob Hendrich Rieger,
Johan Yorg. Runtz.
Valentine Henrich,
Jacob Roomfult
Nicholas Dek,
Nicholas Winder,
Johannes Wilfang,
Jacob Wilhelm,
Ulrich Spies
Peter Jager,
Caspar Storller,
George Meyer,
Peter Freidel,
Johannes Singer,

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Conrad Frey,
Matthias Marker,
Hendrich Romfield.
Valentine Dihl,
Abraham Dihl,

E.

Septemr. 21st.

On the News brought by Express from Newcastle, late in the night of the 19th instant, that the Honourable John Penn, Esquire, the Eldest of our Proprietaries, was on board a Ship from London, standing up this River, his Brother, accompanied with several Gentlemen, went early next Morning to Chester to receive him, where Mr. Penn landed in the afternoon, and setting out this morning for Philadelphia, was met on passing the River Schuylkill by the Mayor, Recorder and Commonalty of the City, in whose name the Recorder made a Congratulatory Speech to Mr. Penn, which he answered in very obliging Terms, and then proceeding forwards, with a very numerous Company, came to his Brother's house about noon.

E.

At the Courthouse of Philadelphia, September the 23d, 1734.

PRESENT:

The Honourable the Lieutenant Governor.

The Mayor of the City, and others of the Magistracy.

Forty nine Palatines who, with their Families, making in all One hundred twenty seven Persons, were imported here in the Ship Hope, Daniel Ried, Master, from Rotterdam, but last from Cowes, as by Clearance from thence, were this day qualified as usual, whose Names are:

Jacob Bowman,
Bernhart Richer,
Jacob Koser,
Hans Henrich Hoffman,
Hans Jacob Fisbach,
Johan Wilhelm Graaf,
Michael Geber,
Christian Houser,
Michael Fikel,
Ulrich Buler,
Johannes Rechter,
Philip Esping,
Christian Farnie,
Johannes Keyser,
Jorg. Heynsman,
Johannes Heynsman,
Johan Adam Schrof,
Johan Peter Gross,
Johan Hendrich Klakner,
Peter Stam,
August Henrich Kuntzman,
Johan Henrich Swissman,
Christopher Rabe,
Johan Philip Dolt,
Henrich Stoltz,
Zacharias Albach,

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Zacharias Slummerfeld.
Johan Wilhelm Ohlbach,
Johannes Yung,
Jost Shmith,
Johan Peter Shmith,
Johannes Noche,
Johan Henrich Otterbach.
Johan Herbert Weber,
George Lubchen,
Johannes Peter Apgardt,
Simon Kirbach,
Johan Arnolt Reish,
E.

Simon Bevell,
Johan Henrich Weshbach,
Johan Henrich Otter,
Johan George Antony Miller,
Johan Andreas Miller,
Antony Nobel,
Antony Nobel, junr.
Johan Albert Langerfeldt,
Gotfried Schierwager,
Christian Otto Schultz,
Cornelis Paraet.

—

September 25th, 1734.

Several Indians of the Nation of the Oneidas coming to town, on a visit to the Proprietary and Governor, signified to the former that they had somewhat to say, but were desirous first to see their friend and Brother, Captain Civility, whom they desired might be sent for from Conestogoe, and he, with some other Indians from thence, coming to town, an appointment was made for hearing them; but the Death of the Governor's Lady preventing it, and the Arrival of the Honourable John Penn, Esquire, afterwards occasioning some further delay, it was not till this day that they were heard, and

At a Council then held,

PRESENT:

The Honourable JOHN PENN and THOMAS PENN, Esqrs., Proprietarys.

The Lieutenant Governor.

James Logan,
Isaac Norris,
Samuel Preston,
Clement Plumsted,
Ralph Assheton,
Samuel Hasell,
Thomas Griffitts,
Charles Read.
} Esquires.

Before the Indians were admitted, the Governor addressing himself to the Elder of the Proprietaries, expressed his great Satisfaction in seeing a Gentleman of Mr. Penn's Merit, and valuable Character, at the head of the Council of this Province, and made ample Acknowledgements for the many Favours conferred on himself by their Honble Family, whose Service & Interest he lay

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under the strongest Obligations to promote to the utmost of his Power.

Mr. Penn was pleased to answer the Governor in most obliging Terms, assuring him of the great Regard their Family entertained for him, and of the just sense they had of the good service done them by his steddy & prudent Administration, since his Accession to the Government.

The Indians being then called in and seated, to witt: Lannhaason, Saristagoa, Anochsagandiah, Tiagonnearout, with nine others of the Nation of the Onaida's:

Sonachchregi, with six others of the Onandago Nation.
Captain Civility and some Conestogoe Indians:
And Ullaloes, a Chief of the Ganawese Indians:
Anthony Zadouski, Interpreter.

The Honourable John Penn, Esquire, told these Indians by the Interpreter, that it gave him very great Satisfaction to see, so soon after his coming into this Province, so many of his Brethren of the Six Nations, at Philadelphia.

That though his Father, their old Friend, is dead, yet they, his Sons, have the same friendship and love for all the Indians that he had, and that he had appointed this meeting to hear what they have to say.

SARISTAGOA, by the Interpreter, said:

That they are very glad to see the Proprietors, the Governor and the Council together; that they have suffered a great Loss by the Death of many of their People, but it was the Will of God that it should be so: they know we were sorry for their Loss, and they thank us for our Good Will towards them; that they look upon us as their friends & Brethren, and are desirous of preserving & continuing the same good Understanding that has so long subsisted between them and us.

That they are greatly indebted to us for the Regard we showed for their Nation, on the Loss that befell them, and for what was sent by this Government to cover their Dead; that what we began they have finished; it is now over, and they again thank us for our Kindness towards them.

Then presenting a bundle of drest Deer Skins, he added: That they and their Brethren had wept together on that sorrowfull Occasion.

That during the time of their affliction the Heavens seem'd heavy & overcast, but now the Sun shines out, they therefore desire all Grief may be done away, that our hearts may be easie, and we may smile together.

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And hereupon was delivered a Belt of Wampum.

That they had but little to say and they have now finished it.

The Indians were told that so many of them coming together, it was believed they had something of Importance to deliver, they were therefore desired to proceed if they had any thing further to add.

Captain Civility hereupon said that he knew nothing of their Business, or of what had brought them hither; that he being of the same Nation with them, to witt: an Onaida, had at their Desire come down from Conestogoe to see them.

He was told that he was very welcome to us; that he is our good old friend, and that we should always be glad to see him.

Saristagoa said that he had nothing further to add but to request that their Guns, which were much out of order, might be mended; that they may be able to kill some food for themselves, in their return home.

The Indians then withdrew.

On considering what might be proper to be given those Indians in Return to their Present of Skins and Belt of Wampum, It was observed that they had come hither without any Authority from the Six Nations; had nothing of Importance to deliver, and were only to be regarded as private Persons, and therefore, to discourage others from visits of this kind, it might not be amiss to give them no more than just the value of what they had presented. But it being represented on the other hand, that by the Account given of those Indians by Mrs. Montour, now in Town, whose Husband, Carandowana, was the Oneida Chief, it appears that though they are not Persons of any great Note amongst the Six Nations, yet they set out for this place at the Desire of some Chiefs of those Nations, who when just preparing to visit this Government, & to follow those Indians hither, were stopped by the unexpected Arrival of sundry Persons from Albany, charged with matters of Consequence to be imparted to them, that hereupon orders were dispatched to countermand all the other Indians from proceeding, but that these Oneidas were far advanced on their journey before those Orders reached them.

And it being likewise considered that these are the first of the Six Nations whom Mr. Penn has seen amongst us since his Arrival, on which Account it may be expected that some further Notice of them should be taken than at another time might be proper, It was unanimously agreed that the value of Twenty pounds be given them, in such Goods as they stand most in need of.

A Petition of divers Inhabitants of the Northern Liberties was presented to the Board and read, setting forth that several Lotts being laid out, Houses erected, & more about to be built, on the Lands lately belonging to David Pegg & William Coates, a regulation of the same

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was necessary to prevent Encroachments on the high Road leading to Germantown and Frankfort, which Road, by the Return made of it, being not so well accommodated to the Bent of the River, is in several places very incommodious, and would, if strictly followed, lead quite beside the Stone Bridge, Battlement & Causway, which have been made at so great a publick Expence, & therefore praying that an Order may be issued for reviewing that part of the said Road, from the Boundary of the City to Chocksink's Creek, or so far as may be found necessary, for the well settling the Line of the westerly side of the said Road. The Prayer of which Petition being granted, It is ORDERED that Isaac Norris, Thomas Griffitts, Thomas Masters, James Steel, Benjamin Eastburn and Richard Waln, or any four of them, review the said Road, & make such Alterations therein as may best suit the Publick Service, with as little Damage as possible to any private Persons. And that together with their Report, they lay before this Board a Draught of the said Road so reviewed.

E

At a Council held at Philadelphia, Septr. 27th, 1734.

PRESENT:

The Honble. the Proprietaries.

The Lieutenant Governor.

Isaac Norris, Clement Plumsted, Samuel Preston, Thomas Griffitts. } Esquires.

And the Indians mentioned in the preceeding Minute.

The Proprietaries, by the Interpreter, spoke to them as follows:

" Brethren:

" We take your visit kindly, the Design of which, from what you " have said, We understand is only to give us thanks for the Concern " we showed on hearing what befell some of your Nation, and es- " pecially our good friend Carandowana, your Chief. We consider " the Acknowledgements you make us on that head, as Instances " of your Gratitude to those who wish you well, & are your true " friends. We had a great Esteem for Carandowana, and were " much grieved to hear of his Death, but as you and we have long " since covered his dead Body, we shall say nothing more on that " subject.

" When we first heard of your coming hither, we believed you had " been charged with some Message to us from the Six Nations, with " whom you know, that about two years since, at this place, we held a " great Council; this summer we expected a Return from them, but " we are told they are prevented by some business they had to do

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" with the Government of York. We desire that when they come " hither, we may see amongst them some of their wise old Men of " each Nation, that we may ratify and confirm with them all those " Matters of Importance which were the subject of our last Treaty.

" As you are come a long way to see us, we are unwilling you " should return without some few necessaries, which we now give " you, vizt:

Six Strowd Matchcoats,
One half barrel Powder,
One hundred weight of Lead,
Two dozen of Knives,
One dozen of hatchets,
One dozen Tobacco Tongs,
Ten Gallons of Rum,
One hundred weight of Bread,

with some Tobacco and Pipes.

Which the Indians receiving with great Thankfullness, they took Leave of the Proprietaries, Governor & Council.

It was Recommended to Mr. Preston, the Provincial Treasurer, to pay for mending their Guns & Hatchetts, and likewise for their Entertainment during their stay here.

The Proprietaries were pleased afterwards to add to this general Present,

Half a Barrel of Powder,
One hundred weight of Lead,
Two hundred Flints,
Twenty five pounds Tobacco,
One hundred Pipes.

And to Civility they gave a fine Gun, with Cloathing for himself & his Son, to the Value of ——— Pounds.

E.

At a Council held at Philadelphia, October 4th, 1734.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieutenant Governor.

James Logan,
Samuel Preston,
Henry Brooke,
Clement Plumsted,
Thomas Laurence,
Ralph Assheton,
Samuel Hasell,
Thomas Griffitts,
Charles Read,
} Esquires.

The Returns of the Elections of Sheriffs & Coroners for the ensuing

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year, in the several Counties of the Province, being this day laid before the Board, the following Persons were by & with the advice of the Council, appointed to the said Offices, vizt:

For the City & County of Philadelphia. Septimus Robinson & Andrew Robeson being returned for Sheriffs, & Owen Owen & John Roberts for Coroners, Septimus Robinson is appointed Sherif and Owen Owen Coroner.

For the County of Bucks. Timothy Smith & John Hall being returned for Sheriffs, & William Atkinson & Jonathan Woolston for Coroners, Timothy Smith is appointed Sherif and William Atkinson Coroner.

For the County of Chester. John Parry & Richard Jones being returned for Sheriffs, & John Wharton & Nathan Worley for Coroners, John Parry is appointed Sherif and John Wharton Coronor.

For the County of Lancaster. Robert Buchanan & James Mitchel being returned for Sheriffs, and Joshua Lowe & Samuel Bethel for Coroners, Robert Buchanan is appointed Sherif and Joshua Lowe Coroner.

And Commissions are ordered to the said Sheriffs, they first giving Security as the Law directs.

E.

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5th.

Returns from the Counties of Newcastle & Sussex being delivered to the Governor, the following Persons were appointed to the Offices of Sherif & Coroner.

For the County of Newcastle. Henry Newton & John Dunning being returned for Sheriffs, and Henry Gonne & John Robertson for Coroners, Henry Newton is appointed Sherif and Henry Gonne Coroner.

For the County of Sussex. Robert Smith & Cornelius Wiltbank being returned for Sheriffs, and Joshua Fisher & John Roades for Coroners, Cornelius Wiltbank is appointed Sherif and Joshua Fisher Coroner.

E.

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October 7th.

The Returns from the County of Kent having been yesterday brought to the Governor, vizt:

Daniel Rodeney & Cæsar Rodeney being returned for Sheriffs, and Nicholas Lockerman & Samuel Berry for Coroners, Daniel Rodeny is appointed Sherif and Nicholas Lockerman Coroner.

E.

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15th.

The Representatives of the Freemen of this Province, elected the 1st instant, having pursuant to the Constitution mett yesterday in Assembly and chosen their Speaker, sent a Message to the Governor to know at what time he would be pleased to receive them for presenting their Speaker. His Honour appointed the forenoon, & gave Directions for calling a Council in the morning, but divers Members being from town, & others indisposed, a Quorum could not be gott together.

The Representatives attending according to order, Andrew Hamilton, Esquire, addressing himself to the Governor, acquainted him that they had been pleased to chuse him for their Speaker, & were now before His Honour for His Approbation, to which the Governor answered, that he made no objection thereto. The Speaker then proceeded to make the usual Requests for the Maintenance of their Rights & Priviledges as a House, in the full Enjoyment & Exercise of which the Governor having assured them, he made the following Speech :

" Mr. Speaker and Gentlemen :

" It is with much Pleasure that I again see the Representatives of " the good People of this Province met in General Assembly, and I " joyfully embrace the Opportunity now given me, of congratulating " the Country on the late happy Arrival of the eldest of our Proprie- " taries amongst us, whose affectionate Concern for the Welfare of " Pennsylvania, the Place of his Birth, and for the Happiness of all " its Inhabitants, will, I am purswaded, no less entitle him to their " Regard and Esteem, than his Personal Merits endear him to all that " know him.

" As it has not been usual for the Assemblies of this Province to " enter on any Business of Moment at their first Meeting, I have gen- " erally delayed laying any Matters before them till their secend Ses- " sion. But at this time I conceive it to be incumbent on me, and agree- " able to the constant Professions I have made of my hearty Inclina- " tions to promote and advance as far as lies in my Power, the true In- " terest of this Government, in which I shall ever chuse to have the " Advice of its Representatives, to communicate to you the Purport " of a Letter I have very lately received from the Secretary to my " Lords Commissioners for Trade & Plantations, desiring my Opinion " what further Encouragements may be necessary to engage the

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" Inhabitants of the British Colonies on the Continent of America. " particularly of those within my Government, to apply their In- " dustry to the Cultivation of Naval Stores of all kinds, and like- " wise of such other Products as may be proper for the soil of the " said Colonies, and do not interfere with the Trade or Produce of " Great Britain. My Answer hereunto is expected as soon as possi- " ble, that their Lordships may have time to consider of it before " making their Report on this Subject, at the Beginning of the next " Session of Parliament, which may be about Christmas next.

" As this Province, Gentlemen, produces, tho' in but too small " Quantities, sundry Commodities which Britain is obliged to pur- " chase from other Nations, and may be further capable of great " Improvements, no ways interfering with the Trade and real Interest " of our Mother Country, it is our immediate Duty on this Occasion, " to apply all our Thoughts to consider what Progress may be made " in those Manufactures which our Soil and Climate will admit of, " and what may be proper to be proposed as Encouragements for " inciting our Industry thereto. Nothing will give me greater Sat- " isfaction than to be able, on these Points, to deliver my Opinion " consistent with the general sense of the People whom you now " represent.

" The usual Business of the year, and what the Publick Service " shall point out as necessary, will no doubt come under you Con- " sideration at your subsequent Sessions, and I flatter myself the " Experience you have had of my past Conduct, makes it unne- " cessary for me to add to those Assurances which I have constantly " given, of contributing my utmost for the Honour and Advantage " of a Province that has deserved so well of me.

E.

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October 15th.

Hetaquantagechty, who came hither last August on a Message from the Six Nations, coming to town with Shekallamy & Conrad Weyser, the Interpreter, on Saturday last, and having signified to the Honourable the Proprietaries, that he had a Message to deliver, this afternoon was appointed for receiving it, and

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At a Council then held.

PRESENT :

The Honble JOHN PENN, and THOMAS PENN, Esq'rs., Proprietaries.

The Lieutenant Governor.

Henry Brooke, Ralph Assheton. } Esquires.
Clement Plumsted,

And these two Indians.

Hetaquantagechty by the Interpreter, spoke to this Effect.

That he is very Glad to meet his Brethren the Proprietors and the Governor, & that they are willing to lend an Ear to what he has to say :

That he comes hither from the Six Nations, on Business relating to the last Treaty held between them & this Government; that on his Road hither he heard the Melancholy News of the Governor's Loss, by the Death of his Spouse; that he once resolved to turn back lest the Governor's Affliction should prevent him from attending to Business, but thinking it better to proceed forward, he is pleased to find the Governor present with them; that he takes part in his Grief, and if he had a Handkerchief good and fine enough to present to the Governor, he would give it to wipe away his tears; then presenting some strings of Wampum to the Governor, he desired that the Governor would lay aside his Grief and turn his thoughts to Business, as he had done before.

The Governor receiving the Strings of Wampum, thanked him for the kind Concern he had expressed on his Account.

Hetaquantagechty then addressing himself to the Proprietor & Governor, and presenting two drest Skins as a Mark of the Regard of the Six Nations for their Brethren here, proceeded to say :

That his Brethren may remember he came hither last Summer on a Message from the Six Nations, acquainting this Government that they would come to Philadia this Spring, to return an Answer to the Treaty held with them the year before, according to which Promise they fully intended to have come, but the Ganawese Indians having sent them word that they were hastening to them on some Important Business, the Six Nations waited for their coming, which was not till the Summer was far advanced; that then having resolved to come hither, they appointed a place for their Nations to meet at, on Sasquehannah River; that some were actually set out and gone some days Journey, when a Message came from the Government of New York, by some of the Commissioners for Indian Affairs, desiring a Meeting of the whole Six Nations at Tsanandowa, on affairs of great Moment, relating to the French; that these Commissioners had brought with them several great Guns, and

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seemed to have Business of Consequence to propose, on which Account the visit of the Six Nations to this Government was delayed, and many of those who were gone before were called back; that therefore he was sent from them to represent the true Reason of their not coming, and to excuse them to their Brethren here; that he was likewise desired to tell them that the Six Nations had considered of all the matters that had been treated of between them and this Government, and had approved of all that had been done and said, and would certainly come next Summer and fully ratify it themselves.

That on his Road hither he was sorely troubled to hear that some base Mis-representations had been made of those Indians that came hither to that Treaty, as if they were Persons who had no Authority for their coming, and were not of any Credit amongst their own People, and that this Government had been imposed upon & put to a needless Charge on their Account; that he believes this Report has been in a great Measure owing to a certain Woman,* whose old Age only protects her from being punished for such Falsehoods; that in the mean time they must resent it and hope to get rid of her. On this Article he delivered some strings of Wampum.

He then proceeding, said,

That the Indians have often complained of Great Quantities of Rum brought amongst them, but now they have more Occasion than ever to renew that Complaint; for such Quantities are daily carried to them, that they are not only impoverished by it, but many of them disabled from providing Sustinence for themselves and their Families; that the Indians love to drink it, and the Traders generally furnishing themselves with little else, they can scarce get Powder & Shott to hunt with; he therefore earnestly desires that some measures may be taken for preventing a Practice which must end in the Destruction of the Indians, who, if they want Rum, should rather fetch it for themselves than have it brought to them.

That the Six Nations were desired by this Government, at the last Treaty, to prevail with the Shawanese to leave Ohio or Allegheney and return towards Sasquehannah; that for this purpose they sent Messengers to the Shawanese, who answered that they would remove further to the Northward, towards the French Country, whereupon some Chiefs of the Six Nations set out to speak with them, and they mett together; but he cannot tell what was the Result of this meeting.

That he has understood when the Shawanese were desired to leave Allegheney they sent a Belt of Wampum to the Delaware Indians, with a Message, intimating to them that as they, the Shawanese, were to seek out a new Country for themselves, they should be glad to

*Mrs. Montour.

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have the Delawares with them. That Sassoonan, the Delaware Chief, had forbid any of his People to go with the Shawanese, and had desired that these last mentioned Indians should rather return to Sasquehannah; but Hetaquantagechty being apprehensive that if the Shawanese should go over to the French Country the Delawares would follow them, he thought proper to apprize this Government of it.

That having now finished what he had to say he will only add, that as we have several Gunsmiths here, it would be very acceptable to all the Indians about Shamokin, to have one settled amongst them; that they would engage he should be paid honestly for his work: he might gett many Skins and grow Rich.

Then presenting a Bundle of drest Deer Skins, he said they were Hunters and lived in the Wilderness, and would desire, if their Brethren please, to have some Powder and Lead given them.

He was asked from whom these Skins were given; whether from the Six Nations. He said they were given by himself, Shekallamy, and the Neighbourhood about Shamokin.

The Proprietors told him they took his visit kindly, and would consider what he had said and give an Answer to it: the Indians were invited to drink a friendly Glass.

E.

At a Council held at Philadelphia, October 16th.

PRESENT:

The Honourable the Proprietaries.
The Lieutenant Governor.

Henry Brooke, Samuel Hasell, Clement Plumsted, Charles Read. Ralph Assheton, } Esquires.

And the Indians mentioned in the preceeding Minute.

John Penn, Esqr., by the Interpreter, spoke to them as follows.

" My Brethren:

" I am well pleased with the Opportunity your visit gives me, so " soon after my Arrival here, to see my good friends Hetaquanta- " gechty and Shekallamy, of both whom I have received so favour- " able a Character that you shall always be welcome to me, and I " desire you to assure all the Indians, and particularly my good " friends of the Six Nations, that it shall be my constant care to " strengthen that firm League and Chain of Friendship which my

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" Father first began, and has since been carefully preserved between " the Indians and all the People within this Government.

" Though I was not present when the last Treaty was held with " my Brethren of the Six Nations, yet the whole of what then pass- " ed was made known to me, and I entirely approve of it, being " agreeable to my own Sentiments. I am therefore, for myself and " on behalf of this Government now to acquaint you:

" That it would be very agreeable to us to have some of the wise " old Men of the Six Nations at Philadelphia, according to the Ex- " pectations they gave us, but since Business of great Consequence " has prevented them, we take it kindly that they have sent you, our " good friends, to acquaint us with the true Reason of it. We shall " nevertheless expect to see next year, some of your Ancient Men " of the Several Nations, that we may have a full Answer to all " those matters of which we treated together.

" Though we have not had the Pleasure of seeing our Brethren of " the Six Nations, because of the Message from New York, by the " Commissioners of Indian Affairs, yet we are the less Sorry seeing " it is not improbable but those People have come hither to treat of " matters which concern all the Subjects of the Great King of Eng- " land, and as the Government of York and Pennsylvania have the " same Common Interest, and are in Effect one and the same People, " we hope every Proposition they shall make for more firmly uniting " the Six Nations to their ancient good friends, the English, and for " strengthening all the Indians against the Attacks of their Enemies, " will be chearfully received and willingly hearkned to.

" We are much concerned to find that the Shawanese, instead of " following the good Council we gave them, are desirous to go further " from us, and even to remove themselves towards the Settlements " of the French: if they should persist in this Resolution, which we " hope they will not, they will be lost to the Six Nations as well as to " us; and therefore we must desire you, that as soon as you return " you will represent this to the Six Nations, that they may use their " Endeavours to prevent the Shawanese going off, and likewise cau- " tion the Delawares from giving any Ear to those who would per- " swade them to leave their old true friends. And on this head we " shall not be wanting to give them our wholesome Council, which " we hope their own true and real Interest will lead them to fol- " low.

" As to the Complaints you make of the great Quantities of Rum " brought amongst the Indians, we believe there is but too much " reason for them; such Complaints have been long and often re- " peated: we have made many Laws against that wicked Practice, " and we shall now order some parts of them to be interpreted to " you, that you may see how great our Care has been in those Points;

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" but the Indians are so fond of it, that unless you could fall on " some method to hinder them from drinking it, it is scarcely possi- " ble for us to prevent its being brought to them: some People for " the sake of Gain, will hazard anything: the woods are dark and " thick, and what is acted there seldom comes to our knowledge, and " if it does, it is a very difficult matter to get any Person to witness " against those evil People what they have done, and without some " Proof of this kind, our Laws will not punish them: all imagina- " ble Care shall be taken, that none of the Licensed Traders shall " escape unpunished, if any such Practice shall be proved against " them, & if others come amongst the Indians, they go Secretly and " without our knowledge; if they can be discovered they shall be " severely punished.

(Then were read & Interpreted unto them, several Paragraphs of the Act against selling Rum and other strong Liquors to the Indians.)

" You know Brethren, that all the Subjects of England are free, " and those who are Tradesmen generally resort to such places " where they are most likely to gett Business, but we cannot order " them to goe to where we please: it is the hope of Gain that pre- " vails with them: we should be glad to have the Indians accommo- " dated with Smiths for mending their Guns & Hatchets, and as " the People increase, it is very likely some may settle in your Neigh- " bourhood.

" We give no Ear to those foolish People who would endeavour " to discredit our good friends of the Six Nations, with whom we " held the late Treaty: we believe those that then came to us were " good Men and had an Authority for what they said and did; you " should disregard such idle Reports, for they can make no Impres- " sions on us."

They were then told that some Powder and Lead, with some cloathing, would be delivered to them.

Hetaquantagechty said he was very much pleased with what had been spoke: it gave him great Satisfaction, but he thought it strange that our People would continue in a Practice so severely forbid by our Laws; he therefore desired that the Paragraph of the aforesaid Law which gives Power to any Persons to Seize and Secure Rum found at any Indian Towns or Settlements should be copied out and given him, that he might show it to the Indians.

Which was ordered to be given him, but he was told that the Indians must take Care not to drink or stave the Rum if they should find any in their Towns; they are only to secure it, which when they have done, they are to acquaint this Government with their Proceedings, and wait till Orders are sent from hence how to proceed further.

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This he said he would fully explain to the Indians.

The Board having Ordered the following Goods to be gott ready, they were delivered to the Indians, to witt:

One half barrel of Powder,	Six Knives,
One hundred weight of Lead,	Six Tobacco tongs,
Four Strowds,	Two pair of Scissors.
Four Shirts,	

with some Bread, Rum, Tobacco and Pipes.

The Governor gave Hetaquantagechty a laced Hatt, in return to the few Strings of Wampum he had presented, with his Compliment of Condolance.

The Indians having thanked the Proprietaries, Governor and Council for what had been given them, and drank a friendly Glass, departed.

E

October 17th.

The following Address was this day presented to the Elder of the Honourable the Proprietaries.

"To the Honourable John Penn, Esquire, One of the Proprietors "of the Province of Pennsylvania, &c.

"The Address of the Representatives of the Freemen of the said "Province, in General Assembly met.

"May it please the Proprietor:

"Excited by Affection and Gratitude, we chearfully Embrace "this Opportunity of Congratulating Thee on thy safe Arrival to the "place of thy Nativity. When we commemorate the many Benefits "bestowed on the Inhabitants of this Colony, the Religious and Civil "Liberties we possess, and to whom these valuable Priviledges, under "God and the King, are owing, we should be wanting to ourselves "and them we represent, did we not do Justice to the Memory of thy "worthy Ancestor, a Man of Principles truly humane, an Advocate "for Religion and Liberty.

"What may we not hope for from a Son of so great a Man, edu- "cated under his Care and influence, by his Example? May his "Descendants inherit his Virtues as well as his Estate, and long "continue a Blessing to Pennsylvania.

"Signed by Order of the House,
"A. HAMILTON, Speaker."

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The Proprietor's Answer.

" GENTLEMEN:

" I return you my hearty Thanks for this affectionate Address; the " kind Regard you express for the Memory of My Father is most " agreeable to me, and as it was always his Desire so it is strongly " my Inclination, to do every thing in my Power that can promote " the Happiness and Prosperity of this Province."

E.

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October 18th.

The following Address was this day brought up to the Governor:

" To the Honourable Patrick Gordon, Esqr., Lieutenant Gover- " nor of the Province of Pennsylvania:

" The Address of the Representatives of the Freemen of the said " Province, in General Assembly met.

" May it please the Governor:

" The happy Arrival of the Eldest of our Proprietors into this their " Province gave us sensible Satisfaction and Pleasure, which with " Chearfulness and Unanimity, we have endeavoured to demon- " strate in a congratulatory Address presented him on that Occa- " sion.

" We gratefully acknowledge the Governor's hearty Inclinations " to promote the Interest of this Colony, and his affectionate Re- " gard to the Inhabitants thereof, apparant not only in his kind " Expressions but in his good Conduct, which has so much contribu- " ted to our Ease and Happiness. And we take it as a fresh Instance " of his Care for our Welfare, that he has been pleased to commu- " nicate to us the Purport of the Letter he lately received from the " Lords of Trade and Plantations, the Subject of which is of great " Importance to the People of this Province, and might justly require " our further Deliberation; but as the Governor is under a Necessi- " ty of returning a speedy Answer in that Affair, we think it a Duty " incumbent on us now to say, that we humbly conceive Hemp, " Pigg and Bar Iron, being Commodities generally purchased with " Money, by the Subjects of Great Britian from the Northern King- " doms, might on a Bounty given by the Government at home, be had " from some Parts of this and other Colonies equally good, in Exchange " for the Manufactures and Produce of our Mother Country much " wanted and with difficulty paid for, amongst us.

" The frequent assurances the Governor has been pleased to give " us of Contributing the utmost in his Power for our Interest, leave us

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" no Room to doubt but that he will represent these Matters in the " strongest and most advantageous Light, and will thereby render it " a Duty incumbent on us, to repeat our Acknowledgements for this " Favour, added to the many received of him by the Inhabitants of " this Province.

" Sign'd by Order of the House,

" A. HAMILTON, Speaker."

The Governor's Answer.

" Gentlemen:

" I thank you for this obliging Address, and you may be assured " I will not be so far wanting to myself, as to neglect any Occasion " that may be improved for the Service of this Province."

The House adjourned with the Governor's Concurrence, to the thirtieth day of January next.

E.

—

October 31st.

On the subject matter of the Governor's Speech to the House, he wrote this day to the Right Honourable the Lords Commissioners for Trade & Plantations, in the following Terms:

" My Lords:

" The Regard your Lordships have shewn for the Welfare of His " Majesty's Colonies on this Continent, by giving them an Opportu- " nity of representing what may be further Necessary for the En- " couragement in raising Naval Stores, and other Commodities fit " for Britain, deserves very particular Acknowledgements, & I am, " in behalf of this Province, to make them to your Lordships on this " Occasion.

" Your Secretary's Letter on this Subject, with its Duplicate, did " not reach my hands till the latter end of last Month, and before I " proceed to Answer it by this first Conveyance that has since offered " for London, I must beg Leave to observe to your Lordships, that " it is the whole study of the Merchants here, to contrive ways for " making Returns to Britain to pay for those great Quantities of their " Manufactures that are daily brought hither, and it is not without " the utmost Difficulty that they are able to accomplish it. What- " ever Encouragements therefore are given for such Commodities " as this Country is capable of producing, fit for Returns directly

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" to Britain, will manifestly tend to increase our Importations from " thence.

" Of Naval Stores, my Lords, this Province produces those two " valuable Commodities, Hemp and Iron.

" The first has not as yet been raised in any great Quantities, the " price of Labour being high, tho' many are going upon it; but as " there are large tracts of Land fit for that Produce, it is to be hoped " that a Continuance of the same Bounty now given, may in time, " when Wages are lowered by the Number of Inhabitants, enable " us to make considerable Returns in it.

" As to Iron, it is generally allowed that what is produced here " is as fine and good as any whatsoever, but the great Expence that " attends Works of that kind, in a Country where Labour is so dear, " has given no small Damp to these Undertakings. On a suitable " Encouragement I am perswaded that this Province, and some of " the adjacent Colonies, may be able to import such Quantities of " Pig Metal and Bar Iron, as may very greatly abate the necessity " Britain has hitherto lain under, of supplying itself therewith on " disadvantageous terms, from foreign Nations.

" Flax is likewise found to agree so well with our Soil, that it is " not to be doubted but a very considerable Progress may soon be " made in this Commodity, of which great Quantities are imported " from other Nations into Britain, and your Lordships are so sensi- " ble of the constant Demand there is for it, that if large Supplies " can be furnished by His Majesty's Colonies, no Manufacture may " better deserve an Encouragement or contribute more to discharge " the Debt incurred by the Importation of British Goods.

" The Mulberry Tree is likewise so natural to our Soil, growing " wild in the rich Lands; and the Silk Worm thrives so well, that " there is a distant Prospect of some advances towards a Silk Man- " ufacture, which, as it affords Employment for the weakest hands, " would be of the utmost advantage. Some amongst us have shewn " how practicable a Design of this kind is, by making some small " Quantities, not inferior as I am informed, in Goodness & Fineness, " to the best from France or Italy; but Persons are wanting to lead " us into the way of winding it from the Balls, which I understand " to be the most difficult part of the Work. But as in time this " difficulty may be surmounted, I cannot but recommend likewise a " Manufacture of this kind as deserving the greatest Encouragement, " since by the promoting it a valuable addition may be made to the " Trade of Great Britain.

" There have been likewise some small Essays towards making " Potashes, & from what I have both heard & seen, there is Reason " to conclude that a Design of this kind may with Industry, if en- " couraged, be considerably advanced.

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" What may be proper to be proposed as Encouragements on all or " any of those Commodities I have mentioned, must be left entirely to " your Lordships, whose great Knowledge of the general trading Inter- " est of Britain, and of the ballance of Trade between that Kingdom " and those Nations from whence such Merchandizes are brought, " enables your Lordships to judge in this particular more clearly, " what may best conduce to the Benefit of Great Britain, and to the " good of its Colonies.

" I beg leave to acquaint your Lordships that the Circumstances " of this Province are so litle varied from what they were in the " year 1731, when I returned an Answer to the Queries then sent " me, that any alteration in that Answer appears at this time unne- " cessary. I am with Esteem,

" My Lords,

" Your Lordships'

" Most Obedient, humble Servt.

" P. GORDON."

E.

At a Council held at Philadia. Novemr. 30th, 1734.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieutenant Governor.

Henry Brooke, Thomas Laurence, Thomas Griffitts, Charles Read. } Esquires.

A Return of the Order of Council of the 10th of May last, for laying out a Publick Road from the great Swamp in the County of Bucks, to the North Wales Road, leading to Edward Farmer's Mill, was this day laid before the Board, & being read, is in these Words:

" Pursuant to an Order of the Governor and Council of Pennsyl- " vania, to us directed, bearing date the tenth day of May, Anno. " Domini, 1734. We whose Names are hereunto subscribed, " with the assistance of John Chapman, Surveyor, have surveyed " and laid out the following Road:

" Beginning at a white Oak standing near George Scabeye's Mill, " in the County of Bucks, in the Province of Pennsylvania aforesd., " running thence South thirty five Degrees, West Seventy & six per- " ches, thence South twenty four Perches, thence South West One " hundred & eight perches, thence South by West Sixty perches, " thence South West three hundred & Sixty perches, thence South

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" fifteen Degrees East one hundred seventy two perches, thence " South two hundred & sixty perches, thence South thirty two De- " grees, West two hundred & sixty perches, thence South by West " fifty two perches, thence South West and by South twelve perches, " thence South East thirty two perches, thence South by East forty " four perches, thence South East one hundred ninety two perches, " thence South thirty Degrees, East two hundred & forty perches, " thence South One hundred fifty two perches, thence South forty " Degrees, East forty eight Perches, thence South Sixteen Perches, " thence South by West twenty eight Perches, thence South West " by South twenty Perches, to near Thomas Fletcher's Mill, " thence South fifteen Degrees, East twenty Perches, thence South " one hundred fifty two Perches, thence South thirty Degrees, East " one hundred & twelve perches, then over the Mill Creek, thence " South twenty four Degrees, East two hundred seventy two perches, " thence South seventy Degrees, East sixty perches, thence South " twenty five Degrees, East fifty two perches, thence South twenty " five Degrees, West two hundred forty four Perches, thence South " fifteen Degrees, East fifty eight Perches, thence South thirty De- " grees, East forty Perches, to near David Jenkins', thence South " five Degrees, East forty perches, thence South East twelve Per- " ches, thence South thirty five Degrees, East sixteen perches, thence " South forty perches, thence South fifteen Degrees, East Sixty four " Perches, thence South fifteen Degrees, West forty Perches, thence " South twenty five Degrees, West forty four perches, thence South " forty perches, thence South twenty five Degrees, West twenty " eight perches, thence South West Sixty eight Perches, thence South " twenty five Degrees, West fifty two Perches, thence South by East " twenty perches, thence South twenty Degrees, West twenty " four perches, thence South thirty Degrees, West eighty perches, " thence South twenty Degrees, East twenty four perches, thence " South twenty Degrees, West thirty two perches, thence South " thirty Degrees, West one hundred forty eight perches, thence South " Sixteen Degrees, West thirty two perches, thence South five De- " grees, West one hundred & eighty perches, thence South fifteen " Degrees, East one hundred thirty two perches, to the Line between " the County of Bucks and the County of Philadelphia, thence " South five Degrees, East two hundred seventy two perches " thence South fifty five Degrees, West thirty two perches, thence " South one hundred forty four perches, thence South East twen- " ty Perches, thence South forty eight perches, to the East branch " of Parkeoman, below John Mires' Mill, thence South East sixteen " perches, thence South fifteen Degrees, East twenty four Perches, " to George Hartloes, thence South forty Degrees, West twenty " eight perches, thence South thirty Degrees, East ten Chain or forty " perches, thence South fifteen Degrees, East sixteen perches, thence " South thirty Degrees, East forty perches, thence South twenty five

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" Degrees, East twenty perches, thence South fifteen Degrees, East " two hundred and twenty four perches, thence South East two " hundred & sixty perches, thence South twenty five Degrees, East " forty eight perches, thence South by East fifty six perches, " thence South East one hundred & seventy six perches, thence South " South East one hundred & twenty perches, thence South thirty " five Degrees, East twenty four perches, thence South twenty five " Degrees, East eighty perches, thence South East sixteen perches, " to the maine Branch of Skipach, thence South Sixty perches, " thence South by East two hundred perches, thence South twenty " eight perches, to the Line of the Dutch Township, thence South " two hundred & sixty four perches, thence South thirty Degrees, " East seventy six perches, thence South seventy Degrees, East " sixty eight Perches, to Wiliam Tuniss', thence South thirty De- " grees, East Eighty eight perches, thence South East two hundred " & twenty perches, thence East eighty perches, thence South " East one hundred & fifty two perches, thence South twenty five " Degrees, East thirty two Perches, thence South ten Degrees, East " twenty perches, thence South sixteen Degrees, East one hundred " & four perches, thence South fifty four perches or pole, to the " Road on the upper Side of North Wales, leading to Edward Far- " mer's Mill.

" John Chapman, Sur,,
" John Bartholomew,
" John Roberts,
" John Edwards,
" James Robeson,
" John Lester,
" George Packman."

On due Consideration hereof had, and of the Draught accompanying the Return, the said Road is approved and hereby confirmed, and It is ORDERED that the same be opened and cleared, as soon as the season of the year will permitt.

E.

—

January 16th.

The House having mett on the 13th, pursuant to their Adjournment, & notified the same to the Governor, the following written Message was this day sent down to them:

" Gentlemen:

" Several Natives of Germany, now Inhabitants of this Province,

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" a List of whose Names will be herewith delivered to you, having " by their Petition to me prayed my Concurrence in an Act for " their Naturalization, I have made Enquiry into the Character and " Circumstances of the Petitioners, and find that almost all of them " have *bona fide* purchased Lands, in this Province; that they have " hitherto behaved themselves well in it, and that Certificates have " been produced to me of their having qualified themselves by taking " the several Oaths & Declarations or solemn Affirmations, directed " by Law to be taken by His Majesty's liege Subjects, I have there- " fore no Objection to their being admitted to enjoy equal Rights with " His Majesty's natural born Subjects in this Province, and shall " concur with your House, in passing a Law for this Purpose.

" P. GORDON."

E.

—

25th.

The Governor received a Verbal Message from the House, by three of the Members, acquainting him that the House having received Information that several Persons were apprehended, & now confined in the Goals of Philadelphia and Newcastle, on Suspicion of having counterfeited and altered large Quantities of Paper Bills of Credit, part in Imitation of the Currency of Pennsylvania, & part in Imitation of that of the lower Counties; the House therefore desired that the Governor would be pleased to give Directions for the speedy Prosecution of the said Offenders, according to Law.

Which the Governor promised he would do.

Those Members delivered likewise to the Governor, an Order for Six Hundred Pounds in part of the Support of the current year, & acquainted him that the House proposed to adjourn to the 17th of March, if it suits his Convenfency.

His Honour thanked the House for their Care of him, & added that he had no Objection to the time proposed for their Adjournment.

E.

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March 18th.

The House having met yesterday, pursuant to their Adjournment, and notified the same to the Governor, His Honour sent down this day, the following written Message to the House:

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" Gentlemen:

" On Application of the Persons whose Names are hereunto sub-
" joyned, and their having produced to me Certificates of their being
" duly Qualified as the Law directs, I have consented that their
" Names be inserted in the Bill of Naturalization now before your
" House, and desire you will direct the same to be done accordingly.

" P. GORDON."

E.

At a Council held at Philadia, March 27th, 1735.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston,
Henry Brooke,
Clement Plumsted. } Esquires.

Were read the four following Bills, sent up from the House Entituled:

An Act to prevent the Damages which may happen by firing of Woods:

An Act for the better enabling divers Inhabitants of the Province of Pennsylvania to hold Lands, & to invest them with the Priviledges of natural born Subjects of the said Province.

A Supplement to the several Acts of Assembly of this Province for Relief of the Poor.

While these Bills were under Consideration, a Bill was brought up & read, Entituled,

An Act for confirming the Election of the Commissioners & Assessors for the County of Bucks.

To the first, second & fourth, some small Amendments were proposed & ordered to be carried down with the Bills, but the third being a long Bill, & of Importance, the Consideration thereof is deferred till to morrow morning, that a fuller Council can be had.

E.

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At a Council held at Philadia, March 28th, 1735.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston,	Ralph Assheton,	Esquires.
Henry Brooke,	Samuel Hasell,	
Clement Plumsted,	Charles Read.	
Thomas Laurence.		

The Minute of Council of the 31st of July last, and of those from that time being read and approved,

The Consideration of the Supplementary Act for Relief of the Poor was resumed, to which, with other Amendments of less Note, the two following Paragraphs were drawn up, as proper to be added, & it is ordered that they be sent down to the House with the Bill:

" AND WHEREAS Complaints have been made against Overseers of the Poor, who have supplyed the Poor with Necessaries out of their own Stores & Shops at exorbitant Prices, and also, Overseers who have paid unreasonable Accounts to their friends or Dependents for Services done the Poor: And Whereas the twenty fifth day of March, appointed by the aforesaid Act for the Relief of the Poor, is found, by Experience, not to be a sufficient Time for examining & settling the Accounts of the several Overseers, & for regulating & redressing the Abuses that may be Complained of; Be it therefore Enacted, by the Authority aforesaid, that the Magistrates of the respective Counties within this Province, for the said Counties, and the Mayor or Recorder, with any two Aldermen of the City of Philadelphia, for the said City, shall and may at any time within one Month after the said twenty fifth day of March, annually examine and settle the said Overseers Accounts, and shall have full Power to allow such Accounts & Sums only as to them shall seem just and reasonable for any goods delivered or services done for the Poor, in the said respective Townships or City aforesaid.

" AND WHEREAS, the Alms house built for the City of Philadelphia, may, if well regulated, be of Service, and help to ease the Inhabitants of the Taxes yearly assessed on them, for the Maintenance of the Poor; Be it enacted by the Authority aforesaid, that the Mayor or Recorder, with any two Aldermen of the said City of Philadelphia, shall from time to time have Power & Authority to chuse and appoint a sober & discreet Person to reside in the said Alms house, for taking care of the Poor therein, which Person, so by them appointed, shall receive into the said Alms house such Poor only, & employ such Persons in the Service of

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" the said House, as the said Mayor or Recoder, with any two Al-
" dermen of the said City, shall from time to time direct, and further,
" shall observe all such Orders & Instructions as shall be by them
" given, for the better Regulation & good Government of the said
" Almshouse."

The Provincial Treasurer exhibited sundry Accounts of money by him expended on Treaties with the Indians, which Accounts are referred to Clement Plumsted, Samuel Hasell & Charles Read, Esqrs. to examine & Report thereon.

A Petition of Sundry Inhabitants of the Counties of Philadia & Bucks, living near & about Macousie, was read, setting forth the Great Want of a Publick Road from Quesohopen, where the North Wales Road Ends, to Macousie aforesaid, for the Service of the Publick as well as the Accommodation of the Petitioners: Whereupon It is Ordered that Laurence Growdon, John Bartholomew. John Roberts, Robert Thomas, John Johnson & Hugh Evans, or any four of them, view the Place where such Road is wanted, & if they are satisfied that there is occasion for such Road, that they lay out the same by Course and Distance, as streight as possible, in such manner as may best suit the Publick Service, & with the least Damage to particular Persons, & that with a Draught of the said Road so laid out, they make Return thereof to this Board.

The Governor received a Message from the House this evening, acquainting him that they had agreed to the Clauses proposed to be added to the foregoing Bill for the Relief of the Poor, with a small Variation, & likewise to most of the material Amendments proposed to the other Bills.

E.

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March 29th.

The Speaker with the whole House attended the Governor, and the Four Bills mentioned in the two preceeding Minutes were passed into Laws of this Province, & Warrants issued for affixing the Great Seal thereto.

The Speaker then acquainted the Governor, that with his Approbation the House intended to adjourn to the 15th of September next, to which His Honour said he had no Objection, whereupon the House withdrew.

E.

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At a Council held at Philadia., April 29th, 1735.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Samuel Preston,	Samuel Hasell,	
Henry Brooke,	Thomas Griffitts,	
Clement Plumsted,	Charles Read.	

The Minute of the preceeding Council being read & approved, Mr. Logan, the Chief Justice, reported that at a Court of Oyer & Terminer & General Goal Delivery, held at Philadia. for the City & County of Philadelphia, the 14th & 15th days of this instant, April, two Persons, to witt: Cornelius O'Brian & Edward Fitzgerald, were indicted & convicted of a Burglary, for which Sentence of Death had been passed against them, the time of its Execution being left to the Governor's Direction.

A Petition from these Criminals, humbly praying the Governor's Compassion towards them, by sparing their lives, was then read, & His Honour desiring the Sentiments of the Board on the Subject— The Chief Justice gave a Relation of what passed on their Trial, & of the Behaviour of each. Which being considered, the Board are of Opinion that Fitzgerald may be reprieved conditionally, that he leave the Country, or otherwise the Sentence to stand good against him; but that O'Brian, who seemed to be more practised in such Crimes, should suffer the Sentence of the Law.

Upon the Chief Justice's Application to the Governor, O'Brian was reprieved, as well as Fitzgerald, & both sent out of the Country.

E.

At a Council held at Philadia., May 6th, 1735

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Clement Plumsted,	Esquires.
Henry Brooke,	Thomas Laurence.	

The Minute of the preceeding Council being read & approved,

The Governor acquainting the Board that having some time since received information of a great Outrage committed on an Inhabitant of this Province, living on the Borders, by one William Rumsey, a Surveyor of Maryland, & of very frequent Breaches of the Peace in those parts by him & his Associates, His Honour had issued a

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Warrant directed to the Sherifs of the Counties of Chester & Lancaster, & of the several Counties below, for apprehending the said Rumsey, if he should come into any of their Bailywicks, that he might be legally prosecuted for his said Offences & Breaches of His Majesty's Peace; that in pursuance of the said Warrant, Rumsey had been lately apprehended by the Sherif of Newcastle County, & was yesterday brought up hither in Custody, and that His Honour, judging it most proper that Rumsey should be acquainted with the Nature of the Offences he stands charged with in the presence of the Council, had therefore called as many of the Members together as could conveniently be had.

Mr. Rumsey, in Custody of the Sherif of Philadia, being called in, and the Governor beginning to acquaint him with the Reason of his being apprehended, Mr. Rumsey humbly desired that Samuel Chew, Practitioner in Physick, who was attending without, might have leave to come in & hear what should be objected to him, the said Rumsey, for that having prevailed with Mr. Chew to be his Bail, if the Offence was baileable, it would be satisfactory to such as would come under Engagements for him, to be well informed of the Charge brought against him, Which being allowed, Mr. Chew was called in. The Governor then proceeded to inform Mr. Rumsey that repeated Complaints had been made of great Abuses & Violences committed by him & others at his Instigation, on several Inhabitants of this Province, living on the Borders of Chester & Lancaster Counties, for no other Reason, that could be learnt, than that those Persons asserted the Jurisdiction of this Province, in those parts where they live; & their Title to their Lands, derived to them under this Government; that particularly he, the said Rumsey, endeavouring to dispossess one Edward Murphy of his Plantation on the North side of Peters Creek in the County of Lancaster, where he had been peaceably seated for several years, had caused his fences to be sett on fire, & the said Murphy, who imagining the fire to be accidental, had come out of his house to save them, to be sett upon by armed People, & carried by force to the Goal of Cœcil County, where Actions & Indictments were carried on against him, to his grievous Oppression, & almost Ruin, all which is more at large sett forth in an Information which was ordered to be read.

The Governor then observed how very unneighbourly, nay cruel, such Proceedings were, & especially betwixt the Subjects of the same Crown, to whom both Provinces are equally accountable for their Conduct; that some of these being carried on even while the Execution of the Solemn Agreement concluded between the Proprietaries of each for accommodating all Differences touching their respective Boundaries was under the Consideration of the Commissioners appointed for executing it, could not but appear still more astonishing, & lastly, that this Government had been so far from pursuing such

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violent measures as of late had been countenanced by that of Maryland, few or no Instances could be adduced to show that any Inhabitants of that Province had suffered in their Persons or Possessions, by any Attempts of the kind on our side. This was more largely spoke to by Mr. Logan, who recounted several Instances of the Lenity of this Government, towards some notorious Disturbers of the Peace, Inhabitants as they call themselves, of Maryland, who had been apprehended in this Province for Outrages & violences committed in it.

Mr. Rumsey denied the Charge of burning the fences & assaulting Murphy, but acknowledged that he brought an Action of Waste against him, for cutting down Timber on that Plantation, which he, the said Rumsey, claimed, & does still claim as belonging to him by a Right under Maryland, prior to that of Murphy's under Pennsylvania. That he gave the Process of Court to the Sherif to serve, & left it to him to execute in such manner as he should think most proper.

Mr. Rumsey, with the Sherif & Mr. Chew, being directed to withdraw:

The Board having considered the matter, are of Opinion that Mr. Rumsey be sent in Custody into the County of Lancaster, where the Breach of the Peace was committed, there to answer the same at the ensuing Court of General Quarter Sessions, unless Bail be given here before one of the Justices of the Supreme Court, for his Appearance at the said Quarter Sessions in Lancaster.

E.

At the Courthouse of Philadia, May 29th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.
With several of the Magistrates.

Fifty four Palatines and Switzers, who with their Families, making in all one hundred Seventy Six Persons, were imported here in the Ship Mercury, of London, William Wilson, Master, from Rotterdam, but last from Cowes, as by Clearance from thence, were this day qualified as usual, and their Names are hereunto subjoined:

Conrad Wuertz,	Jacob Tenzler,
Abraham Weidman,	Johan Ulrich Ahner,
Rudolph Weidman,	Johannes Weiss,
Hans Jacob Ratgal,	Baltzar Bassert,
Jacob Boshart,	Henry Merck,
Jacob Schenckel,	Hans Meyer,
Hendrich Huber,	Caspar Netzly,
Jacob Naaff,	Caspar Schweitzer,

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Henry Oswald,
Jacob Frey,
Jacob Meyer,
Jacob Pertshinger,
Henry Bruner,
Hans Kiebur,
Jacob Weidman,
Hans Conrad Koller,
Conrad Naaff,
Jacob Madter,
Hans Muller,
Hans Ott,
Johannes Heit,
Hendrich Schuber,
Martin Schelberger,
Jacob Maurer,
Hendri Scheuchzer,
Jacob Shelberger,
Henry Moseke,
Henry Surber,
Hans Uhlrig Amman,
Rudolph Aberley,
Jacob Wyst,
Rudolph Egg,
Rudolph Walter,
Jacob Conrad Naaff,
Jacob Schmit,
Conrad Meyer,
Jacob Naaff,
Caspar Tutt,
Caspar Pleuler,
Jacob Minger,
Abraham Wekerley,
Conrad Rutzchi,
Christian Erhard Newmeiter,
Johannes Molich,
Philip Klein,
Hendrich Forst.

E.

At a Council held at Philadelphia, the 4th of June, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Henry Brooke,
Clement Plumsted,
Thomas Laurence,
Ralph Assheton,
Samuel Hasell,
Charles Read.
} Esquires.

The Governor laid before the Board the following Address of the Mayor and Commonalty of this City, presented to him this day, and desired the Opinion of the Board touching the Request thereby made, & the said Address being read is as follows:

" To the Honourable Patrick Gordon, Esqr., Lieutenant Governor " of the Province of Pennsylvania, Counties of Newcastle, Kent and " Sussex, upon Delaware.

" The Humble Address of the Mayor and Commonalty of the " City of Philadelphia.

" May it please the Governor:

" We having certain Intelligence of the Lord Baltimore's Appli- " cation to the King, for a Confirmation or grant of the Lands com- " monly called the Territories of Pennsylvania, or the three Counties " of Newcastle, Kent and Sussex, on Delaware, as Lands within the " descriptive part of his Charter, And being truly sensible how

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" deeply the Interest of the Province in general, & of this City, & the " British Merchants trading hither in particular, must be affected, " should the Lord Baltimore succeed in obtaining a Grant for the " same; We thought it our duty, in behalf of this City, to request " the Governor, that he would be pleased upon this extraordinary " occasion, to call together the General Assembly of this Province, " which stands Prorogued to the ——— day of September next, & " to lay before them such Proceedings of the said Lord Baltimore, " in this Affair, as are come to his hands, that they may be the bet- " ter enabled to judge what is proper for them to do in an affair " which in its Event may so greatly affect not only the Inhabitants " of this Province, but all others with whom they have any Trade " or Commerce.

" THO. LAWRENCE, May'r."

The Board conceiving the Subject matter of the said Address to be of great Importance to this Province are unanimously of Opinion, that the Assembly should meet without loss of time; Whereupon it is Ordered, that Writts be forthwith issued to the Sheriffs of the respective Counties, commanding them to Summon the Representatives to meet in Assembly at Philadelphia, the sixteenth day of this Instant, June.

E.

At a Council held at Philadia, June, 16th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Clement Plumsted, Samuel Hasell, Thomas Laurence, Charles Read. } Esquires. Ralph Assheton,

The Meeting of the Assembly of this Province being by the Writts issued in pursuance of the preceeding Minute, fixed to this day, the Governor laid before the Board a Draught of a Speech he intended to make to the House, with Copies of the Lord Baltimore's Petition to His Majesty, the Report thereon by the Lords Commissioners for Trade & Plantations, to whom it was referred, Copies of the Petition of Richard Penn, Esqr., one of our Honourable Proprietaries, in behalf of himself & his elder Brother, now here, & of the Petition of sundry of the People called Quakers, & their Case. All which being read, the said Speech was approved of, and the sundry Papers produced were thought proper to be laid before the House.

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At a Council held at Philadia. June 17th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston,	Ralph Assheton,	} Esqr's.
Thomas Laurence,	Charles Read.	

The House of Representatives being sent for, attended with their Speaker, to whom the Governor made a Speech, which yesterday had been read & approved at this Board, and is in these Words:

"Mr. Speaker & Gentlemen:

"It gives me no small Concern that I should be obliged to call you "together at a Season of the year when your domestic Affairs so "very ill admitt of your absence from home.

"But the late Accounts from England, of an unexpected Application "made to His Majesty by the Lord Proprietor of Maryland, for ob- "taining a Grant or Confirmation of the three lower Counties on "Delaware, as Lands within the descriptive part of his Charter, have "so greatly alarmed all those in this Province, who have du- "ly weighed & considered the unhappy Consequences of disu- "niting from Pennsylvania those whom the same form of Govern- "ment, administered under the same Proprietaries & Governor, and "a Similitude of Interests & Inclinations, have for many years past "closely united, that an unanimous Address from the Mayor & "Commonalty of this City, hath been presented to me, requesting "that the Representatives of the People might be conven'd as soon "as possible, to consider of such Measures as may be most proper "to be taken on this Emergency, as well for the Interest of the "Province in general, as that of the City of Philadelphia with res- "pect to its Trade in particular. From my own sincere Regard there- "fore to the Welfare of this Province, which Duty & Affec- "tion equally lead me to consult & promote, & in complyance "with the desire of so considerable a Body as have addressed me "on this Occasion, I now meet you; and as it is unnecessary for "me to mention any of the Disadvantages & Inconveniences that "would attend the Success of so extraordinary an Application to "His Majesty, since they are too many, & lie too obvious to escape "the observation of any thinking Person, I shall only lay before "you such Papers relating to this Affair, & the Progress yet made "in it, as are come to my hands, & leave the whole to be consider- "ed of by you in such manner as best suits the Importance of the "Subject, & the real Interest & Prosperity of Pennsylvania."

With a Copy of which Speech the several Papers mentioned in the preceeding Minute being delivered to the Speaker, the House withdrew.

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18th.

The following Address was this day sent up from the House:

"To the Honble Patrick Gordon, Esqr., Lieutenant Governor of "the Province of Pennsylvania. and of the Counties of Newcastle, "Kent and Sussex, on Delaware.

"The Humble Address of the Representatives of the Freemen of "the said Province, in General Assembly met.

"May it please the Governor:

"The Regard & Affection the Governor has express'd for the "Welfare of this Province. leave us no room to doubt the sincerity "of his Intentions, And though the Season of the year and our "domestic Affairs but ill admitt of the Absence of many of us from "home, yet the important occasion of our being called together, in-"clines us chearfully to forego any private \
"ture when the Interest of the Publick calls so loudly for our As-sistance.

"The extraordinary Attempt of the Lord Proprietor of Maryland "for the obtaining a Grant of the three lower Counties on Delaware, "and a part of this Province, after so many repeated determinations "of the Crown, so long Possession against him, and his own solemn "Agreement and Release, so lately made, is indeed surprizing, and "should he succeed in that Application. We conceive it would be "attended with Consequences truly unhappy to the Inhabitants of "this Province, not only in disuniting those whom the same form "of Government, administered under the same Proprietaries & "Governors, and a Similitude of Inclinations & Interests have "closely united, but in diminishing our Trade, depriving many of us "of our Properties, and destroying those Religious & Civil Liber-"ties which were one of the Chief inducements to the first Planting "of this Colony. And therefore it is that We are unanimously "agreed to do every thing in our Power, consistent with the Duty & "Loyalty We owe to our Sovereign, which may best contribute to "the preservation of the Interest of the Province in General, & of "the Trade of the City of Philadelphia in particular.

"Signed by Order of the House.

"A. HAMILTON, Speaker."

June 24th.

The Speaker with the House attending the Governor, the follow-ing private Bill, which had passed the House with His Honour's Concurrence, was this day enacted into a Law, & the Great Seal ordered to be affixed thereunto, Entituled:

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An Act for the more effectual vesting and Settling certain Lands in George McCall, pursuant to the Covenants and Agreements of all the Parties having any interest in the same.

The House having prepared a Petition to His Majesty, notified to the Governor their Adjournment to the 15th of September next.

E.

At the Courthouse of Philadia, June 28th, 1735.

PRESENT:

The Honourable PATRICK GORDON, Esqr., Lieutenant Governor,

And some Gentlemen of the Magistracy:

Thirteen Palatines, who, with their Families, making in all thirty nine Persons, were imported here in the Brig Mary, of Philadelphia, James Marshall Master, from London, were this day qualified as usual, and their Names are hereunto subjoyned:

Melchior Scholtze,
Peter Schwaub,
Henrich Werchman,
Wilhelm Gesel,
Andreas Widmar,
Zacharias Friedrich,
Andreas Brinker,
Johannes Werchman,
Solomon Buckstool,
Henrich Boshart,
Nicholaus Botikofer,
Jacob Widmar,
Solomon Buckstool, junr.

E.

July 29th.

Several Indians of Conestogoe and Sasquehannah, to the number of Thirty in all, Men, Women & Children, coming to Town on a friendly visit, and their Chiefs applying to the Proprietaries and Governor to be heard in Council,

A Council was held at Philadia, Augus 1st, 1735.

PRESENT:

The Honourable THOMAS PENN, Esqr. Proprietary.
The Lieutenant Governor,

amuel Preston,
Clement Plumsted,
Ralph Assheton,
Thomas Griffitts,
Charles Read.
} Esquires

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PRESENT, ALSO:

Tioquataraghse or Civility, Onichsulyiena, Garhagenerat, Canasquagenerat, Tatiernughti, with several other Conestogoe Indians of less Note.

Ullaloes, Chief of the Ganawese, with Peyhiohinas, Joaasha, & some others of that Nation.

Gannuawantagerah, Wawiabiessanagh & others of the Shawanese.

Conrad Weyser interpreter.

The Proprietor told the Indians that as soon as he heard of their Arrival he sent a Message to his Brother, at Pennsbury, acquainting him therewith, but that he is so much indisposed as not to be able to come down, & that the Council are now met to hear what they had to offer.

Civility, by the Interpreter, said:

That there are now present three different Nations of the Indians, to witt: the Conestogoes, Ganawese and Shawanese, who are come down to visit the Proprietors, and to renew with them the League & Chain of Friendship.

That when William Penn first came into this Country, he called many of the Indians together and told them that the Great King of England had given unto him a large Tract of Land, on which several Nations of Indians were settled; that it was his desire to live in Peace & good Friendship with all those Indians, & therefore he would make Purchases from them of those Lands, before they should be possessed by the White People.

That the Indians told Willm. Penn he and they should live on those Lands like Brethren, in Love & Friendship; whereupon Willm. Penn and the Indians entred into a League of Friendship together, whereby they became all as one People and one Nation, joyned together so strongly that nothing should ever disunite them, but that they should continue one People for ever.

That one Chief Article then agreed on between Willm. Penn & the Indians was, that if any Mischief or Hurt should befall either, they should assist one another, and constantly have their Eyes open to watch for each other's Safety, and their Ears open that if any News were brought from any Country that might give uneasiness to either, they should carefully inform each other of what they heard.

That it was further agreed between Willm. Penn & the Indians, that each should bear a share in the other's Misfortunes. That this

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Country, tho' it Might be filled with People of different Nations, yet Care should be taken that Justice should be done to every Person, and no Mischief happen without Satisfaction being given when it was necessary.

That Willm. Penn & the Indians agreed on other Articles, of all which two Papers were written; one of them their Brother Willm. Penn had & the other they have brought with them, to show that they preserve all these things carefully.

That their Brother, Willm. Penn, told the Indians this Agreement was to continue for three Generations.

Then laying down three bundles of skins,

He said:

That they were now come hither to see Willm. Penn's Sons, to take them by the hand and renew with them the League of Friendship made with their Father. And to bind their Words, they now presented, in the Name of all the Conestogoe, Ganawese and Shawanese Indians, three bundles of Skins.

Civility laying down another small Bundle of skins, added:

That the Shawanese Indians, who live upon ——— River, lately Sent him a Present of Skins, which he now gives to the Proprietaries, to engage them to assist in composing any Differences that may arise between the Irish People, who are come into those parts, and these Indians, who intend to live & dye where they are now settled.

That he has now finished all he had to say.

The Proprietor told the Indians that he would speak to them on the Heads they had mentioned very soon; & orders being given for their good Accommodation & Entertainment, they were at present dismissed.

E.

At a Council held at Philadia, August 2d, 1735.

PRESENT:

The Honble THOMAS PENN, Esquire.

The Lieutenant Governor,

Samuel Preston, Thomas Griffitts, } Esquires.
Ralph Assheton, Charles Read. }

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And the Indians mentioned in the preceeding Minute.

The Proprietor spoke to the Indians by the Interpreter as follows:

" Friends & Brethren:

" I told you yesterday, that on the first Notice I had of your " coming to town I had sent to my Brother, whom I had left at " Pennsbury, to desire his company here, & I am now truly sorry " that the Indisposition he labours under, which till it is over will " not suffer him to travel, must deprive him of the pleasure he would " have taken at your visit. You are sensible he is your Country- " man, being born in the same Land with you, and for this reason " he would have desired to see you; but he has sent me a Letter by " which I know his mind, and now since he cannot be present him- " self I shall give you both his & my own Sentiments, which I as- " sure you are exactly the same.

" We need not now tell you, who formerly saw our Father Willm. " Penn here, that he loved all the Indians as his own People & Chil- " dren, he shewed it in all his Actions and Conduct towards them; " he made firm Leagues of friendship with all the Indians, and he " not only observed them strictly himself, but he gave it in charge " to us his children to do the same. And as we are the same with " our Father, so we are very well pleased to find by this visit, and " what you have said, that you are the very same you were when " he was here, and that you not only remember the Substance of " what then past, but also have kept one of the Instruments or Wri- " ting that he gave your Fathers under his hand.

" Now as you are come with that very good Design to renew & " strengthen those former Treaties, I doubt not but you will believe " with me that the most proper Method for this is to read over to " you here, since you cannot read yourselves, the principal of those " Writings that passed between our Father and you or your Fath- " ers, when ours was last here, which are in these Words:

" We, Widaagh alias Orytyagh and Andaggy-junkquagh, Kings " or Sachemas of the Sasquehannah Indians, and of the River un- " der that Name, and Lands lying on both sides thereof, doe declare " That for and in Consideration of a parcel of English Goods unto " us given by our Friend & Brother William Penn, Proprietary and " Governor of Pennsylvania, and also in Consideration of the " former much greater Costs and Charges of the said William " Penn hath been at in treating about and purchasing the same, We " doe hereby Give, Grant and Confirm unto the said William Penn " all the said River Sasquehannah & all the Islands therein, and al " the Lands situate, lying and being upon both sides of the said Ri- " ver, and next adjoyning to the same, extending to the utmost Con- " fines of the Lands which are or formerly were the Right of the

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" People or Nation called the Susquehannah Indians, or by what name " soever they were called or known, And also all the Lakes, Riv- " ers, Rivulets, Fountains, Streams, Trees, Woods, Underwoods, " Mines Royal and other Mines, Minerals, Quarries, Hawkings, " Huntings, Fishings, and Fowlings, and other Royalties, Privileges, " and Powers whatsoever, to them or any of them belonging, or by " them enjoyed as fully and amply in all Respects as we or any of " our Ancestors have, could, might or ought to have, had, held or " enjoyed. And also, all the Right, Title, Interest, Possession, " Claim and Demand, which we or any of us, or the said Nation, " or any in right of the same, have or hereafter can or may claim " to have in the same. And we do hereby Ratify and Confirm unto " the said William Penn, the Bargain & Sale of the said Lands, " made unto Coll. Thomas Dongan, now Earl of Limerick, & for- " merly Governor of New York, whose Deed of Sale to the said " Govr. Penn we have seen. TO HAVE & TO HOLD the said " River, Lands & Premises hereby granted and confirmed, with their " & every of their Rights, Members & Appurtenances, unto the said " Willm. Penn, his Heirs and Assigns, to the only proper Use and " Behoof of the said William Penn, his Heirs and Assigns, for ever. " In Witness whereof we have, for ourselves & Nation, hereunto " sett our Hands & Seals, the thirteenth day of September 1700.

his
" Widaagh ⋈ als Orytyagh, [L. S.]
mark

his
" Andaggy ⋈ junkquagh, [L. S.]
mark

" Sealed and Delivered
" In presence of
" Ewd. Antill, David Powell,
" Hen. Tregeny, James Logan."
" Edward Singleton,

" ARTICLES of Agreement Indented, Made, Concluded & " Agreed upon at Philadelphia, the twenty third day of the second " Month called Aprill, in the year One thousand seven hundred and " one, between WILLIAM PENN, Proprietary and Governor of " the Province of Pennsylvania and Territories thereunto belonging, " on the one Part, AND CONNOODAGHTOH, King of the In- " dians inhabiting upon and about the River Susquehannah in the " said Province, And WIDAAGH, (alias Orytyagh,) KOQUEASH " and ANDAGGY-JUNKQUAGH, Chiefs of the said Nations of " Indians, And WOPATHTHA King, & LENROYTUNGH, & " PENROYAJOOAGH, Chiefs of the Nations of the Shawonnah " Indians, And AHOOKASSOONGH, Brother to the Emperor, for

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" & in Behalf of the Emperor (& Weewhinjough, Cheequittagh
" Takyewsan & Woapathoa, Chiefs,) of the Nations of the Indians
" inhabiting in & about the Northern part of the River Potomock,
" in the said Province, for and in Behalf of themselves and Succes-
" sors, and their several Nations and People, on the other part, as
" followeth:

" THAT as hitherto there hath always been a Good Understand-
" ing & Neighbourhood between the said William Penn and his
" Lieutenant since his first Arrival in the said Province, and
" the several Nations of Indians inhabiting in & about the same, so
" there shall be for ever hereafter, a firm & lasting Peace continued
" between the said William Penn, his Heirs and Successors, & all
" the English & other Christian Inhabitants of the said Province, &
" the said King's & Chiefs & their Successors, & all the several
" People of the Nations of Indians aforesaid, and that they shall
" for ever hereafter be as one head & one heart, & live in true
" Friendship and Amity as one People. ITEM, that the said Kings
" & Chiefs (each for himself & his People Engaging,) shall at no time
" hurt, Injure or Defraud, or suffer to be hurt, Injured or Defrauded,
" by any of their Indians, any Inhabitant or Inhabitants of the said
" Province, either in their Persons or Estates. And that the said
" William Penn, his heirs and successors, shall not suffer to be Done
" or Committed by any of the Subjects of England within the said
" Province, any Act of Hostility or Violence, Wrong or Injury to or
" against any of the said Indians, but shall on both sides at all times
" readily do Justice & perform all Acts & Offices of Friendship &
" Good Will, to oblige Each other to a lasting Peace as aforesaid.
" ITEM, that all & every the said Kings & Chiefs, & all & every
" particular of the Nations under them, shall at all times behave
" themselves Regularly and Soberly, according to the Laws of this
" Government, while they live near or amongst the Christian Inhab-
" itants thereof. And that the said Indians shall have the full &
" free privileges & Immunities of all the said Laws as any other In-
" habitants, they duly Owning & Acknowledge the Authority of the
" Crown of England and Government of this Province. ITEM,
" that none of the said Indians shall at any time be Aiding, Assist-
" ing or Abetting to any other Nation, whether of Indians or Others,
" that shall not at such time be in Amity with the said Crown of
" England & of this Government. ITEM, that if at any time any
" of the Indians, by means of Evil minded Persons & Sowers of
" Sedition should hear any unkind or Disadvantageous Reports of
" the English, as if they had Evil Designs agst. any of the said In-
" dians; in such case such Indians shall send notice thereof, to the
" said William Penn, his heirs or successors, or their Lieutenants, and
" shall not give Credence to the said Reports, till by that means they
" shall be fully satisfied concerning the Truth thereof, and that the.

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" said William Penn, his heirs & successors or their Lieutenants, " shall at all times in such cases do the Like by them. ITEM, that the " said Kings & Chiefs & their successors. & People, shall not suffer " any strange Nation of Indians to setule or plant on the further side of " Susquehannah, or about Potomock River, but such as are there " already seated, nor bring any other Indians into any part of this " Province, without the special Approbation & Permission of the said " William Penn, his heirs & successors.

" ITEM, That for the prevention of Abuses that are too frequently " put upon the said Indians in trade; that the said William Penn, " his heirs & Successors. shall not suffer or permit any Person to " trade or commerce with any of the said Indians, but such as shall " be first allowed or approved of by an Instrument under the hand " & seal of him, the said William Penn, or his heirs or Successors or " their Lieutenants, and that the said Indians shall suffer no Person " whatsoever to buy or sell or have commerce with any of them the " said Indians, but such as shall first be approved as aforesaid.

" ITEM, that the said Indians shall not Sell or Dispose of any of " their Skins, Peltry or Furs, or any other Effects of their hunting, " to any Person or Persons whatsoever out of the said Province, " nor to any other Person but such as shall be authorized to trade " with them as aforesaid, and that for their Encouragement the said " William Penn, his heirs & Successors, shall take care to have " them the said Indians, duly furnished with all sorts of necessary " goods for their use at Reasonable Rates.

" ITEM, that the Potomock Indians aforesaid, with their Colony, " shall have free leave of the said William Penn, to settle upon any " part of Potomock River within the Bounds of this Province, " they strictly observing & practising all & singular the Articles " aforesaid, to them relating.

" ITEM, the Indians of Conestogoe and upon and about the River " Susquehannah, and more especially the said Connoodaghtah " their King, doth fully agree to, and by these presents absolutely " Ratifie the Bargain & Sale of Lands lying near & about the said " River formerly made to the said Willam Penn, his heirs & Suc- " cessors, and since by Orytyagh & Andaggy-junkquagh, parties " to these presents confirmed to the said William Penn. his heirs & " Sucessors, by a Deed bearing date the thirteenth day of September " last, under their hands & Seals, duly Executed; and the said " Connoodaghtah doth for himself and his Nation, covenant and " agree that he will at all times be ready further to confirm and make " good the said Sale according to the Tenour of the same, and that " the said Indians of Susquehannah shall answer to the said Willm. " Penn, his heirs & Successors, for the good Behaviour and Conduct " of the said Potomock Indians, and for their performance of the " several Articles herein expressed.

" ITEM, the said William Penn doth hereby promise for himself,

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" his heirs & Successors, that he and they will at all times show " themselves true Friends and Brothers, to all & every of the said " Indians, by assisting them with the best of their Advices, Direc- " tions & Councils, and will in all things Just and Reasonable Be- " friend them, they behaving themselves as aforesaid, and submitting " to the Laws of this Province in all things as the English and oth- " er Christians therein Doe, to which they the said Indians hereby " agree and obliedge themselves and their Posterity forever.

" IN WITNESSE whereof the said Parties have, as a Confirma- " tion, made mutual Presents to each other; the Indians in five Par- " cells of Skins, and the said William Penn in several English " Goods and Merchandizes, as a binding pledge of the premises, " never to be Broken or Violated, and as a further Testimony there- " of, have also to these presents Interchangeably sett their hands " and seals the Day and Year above written:

" Connoodaghtah,	[L. S.]	" Wopaththa,	[L. S.]
" Andaggy-junkquagh	[L. S.]	" Ahookassoongh,	[L. S.]
" Penroyajooagh,	[L. S.]	" Takyewsan,	[L. S.]
" Cheequittagh,	[L. S.]	" Koqueeash,	[L. S.]
" Widaagh als.		" Lernoytung,	[L. S.]
		" Weewhinjough,	[L. S.]
" Orytyagh,	[L. S.]	" Woapatkoa.	[L. S.]

" Signed, Sealed & Delivered In the presence of

" Edward Shippen,
" Nathan Stanbury,
" Alexander Paxton,
" Caleb Pusey,
" James Streater,
" J. Le Tort,
" Jut Hans Stellman,
" James Logan,
" John Sanders,
" Penroquenichchan, his ⋈ mark
" Passaquessay, his ⋈ mark
" Indian Harry, alias Showydoohungh, Interpreter, his ⋈ mark.

" You see by these Deeds & Articles, that all the Indian Chiefs " of that time fully acknowledged that the River Susquehannah " and all the Lands on both sides of it, were our Father's. And " you also see that the great Treaty of Friendship then made, was " not for three Generations only but forever, that is as long as the " Sun & Moon shall endure, or Water to flow in the Rivers, which " is the Language that has always been used on these Occasions. " And as you now see this, and have one of the Writings in your " own hands, you should always, in some Number of years, get " some honest English Man to read that Paper to you, that the Con- " tents of it may be kept in Remembrance.

" These Articles you see were made principally with the Susque- " hannah Indians, who then mostly lived at Conestogoe; And the

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"Shawanese, as their friends, came also, under our Father's Pro-
"tection, and entred into the same League. It were to be wished
"that their whole Nation were made sensible of this, and those of
"that Nation who were now here are desired very carefully to ac-
"quaint the rest with what they have seen & heard here.

"And now on these heads there remains no more, that we should
"here most solemnly Ratify & Confirm all these Articles so far as
"they relate to Friendship and Union, to be observed not only by us
"but our Posterity to all Generations."

The Indians were then told that to morrow or next day a Return would be made to their Present, in such Goods as they might most want.

Civility, in the Name of all the Indians, expressed their Satisfaction with what had been spoke & read unto them.

The Indians being withdrawn,

And the Board entring upon the Consideration of the Present, an Estimate of the Value of the Skins delivered by the Indians was produced and is as follows:

107	Fall Deer Skins,	at 1-9 each	£9 7 3
21	Ordinary,	at 1	1 1 0
35	Indian dreſt,	at 3-6	6 2 6
4	Raccoons,	at 1-6	0 6 0
2	Bear Skins,	at 4	0 8 0
			£17 4 9

It being considered that the Charges of their Entertainment in town will rise high, the Value of Thirty pounds in Goods suitable for them is thought sufficient, & a List thereof being made, the Treasurer is desired to provide them.

E.

At a Council held at Philadia, August 4th, 1735.

PRESENT:

The Honble THOMAS PENN, Esqr. Proprietor.

The Lieutenant Governor.

Samuel Preston, Ralph Assheton, Clement Plumsted, Thomas Griffitts. } Esquires.

The Indians being likewise come & seated,

The Proprietor told them that having at the former meeting fully ratified & confirmed all the Articles of Friendship between this Government & the several Nations in whose Name & Behalf they were

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come hither, these following Goods are now given to bind our Words, to wit:

Four fine Guns,	Twenty pounds of Powder,
Eight Strowds,	Forty pounds of Lead,
Eight Blankets,	Thirty Knives and
Eight Shirts,	Fifty Flints.
Four Hats,	

With some Rum, Pipes, Tobacco and Bread.

Which the Indians received with great Thankfulness.

The Governor then spoke to the Indians by the Interpreter as follows:

"My Friends & Brethren:

"Our Honble Proprietor having returned an Answer in behalf of "this Government, to what you delivered, & having ratified with "you all those great Articles of Peace and Friendship so long since "concluded between you & us, I am now to speak to you of a mat- "ter of the greatest Importance to the Preservation of our mutual "Friendship and good Understanding.

"You are fully sensible from what has passed at this present time, "as well as from what has been the Subject of all our former Trea- "ties with the Indians, that the doing of exact Justice to each other, "is the foundation & Groundwork on which all the Articles of our "Treaties are built, and which ever of us fails in this Point, contra- "dicts by their Actions what in the strongest Words and Expressions "we have mutually agreed to perform. I need not say much to show "how exactly carefull we have been to give the Indians all reason- "able Satisfaction in every matter for which they could have any just "Ground of Complaint, & you may all remember that when two of "our People had been so wicked as to kill two of our Indians Friends, "we brought the guilty Persons to a Trial in the same manner as if "they had killed a white Man, and they both suffered Death for the "Crime they Committed. We have therefore the greatest Reason "to expect from the Indians, that in cases of the like Nature they "should be exactly carefull to deal by us as we do by them, and we "think ourselves ill treated if the least Delay or Hesitation is made "in doing us Justice, when any of our People have suffered by the "Wickedness or Folly of yours.

"Ullaloes, the Ganawese Chief, may remember that in the Sum- "mer 1733, he came hither with Four others of that Nation, to Sat- "isfy us that there was no Truth in a Report that then was spread, "of three of their young Men having killed two white People in "Virginia, the Winter before. Ullaloes assured us he had seen the "Scalps that those young Men had brought home; that they were

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" of Indians, & not of white Men, and that these Ganawese War-
" riors entirely denied they had been guilty of any such Crime as
" was laid to their Charge. But however they may have endeav-
" oured to impose upon you, whom we believe to be honest good
" Men, yet it is but too true, that in the back parts of Virginia they
" cruelly Murdered a poor Man and his Wife, & scalped them both.
" The Information of this affair has been so particularly given to
" the Governor of Virginia, and there are so many concurring Cir-
" cumstances now discovered by the Accounts of several who saw
" & conversed with those Indians on their Return homewards, that
" we cannot but believe them guilty. And as that Governor has
" demanded these guilty persons to be delivered up to him to be
" punished, I must require of you the Names of those Indians, &
" that you will order them as soon as possible to be secured; & if
" you will undertake to carry them to Virginia, & deliver them up
" to the Governor there, he hath assured me that he will receive you
" as his friends, and give you an handsome Reward for your trou-
" ble."

The Governor hereupon delivering a large Belt of Wampum, told the Indians he expected from them a full and satisfatory Answer.

The Indians having for sometime consulted together, Ullaloes, the Ganawese Chief, answered by the Interpreter:

" Brethren:

" It is true when I came here about this matter, I told you I had
" seen the Scalps, and that they were of Indians and not of white
" Men: when I returned home I was very careful in making a fur-
" ther Enquiry, but I could find out nothing that could make me
" believe those were guilty whom you suspected. I thought this
" whole affair had been long since at an End, and did not expect
" that after we had renewed together our Leagues of Peace & Friend-
" ship it would again have been mentioned; but whether those three
" Indians of our Nation who returned that year from the South-
" ward were guilty or not, they are not now alive, for, in a Fight
" with the Flatheads, last Spring was a year, near Roanoake River
" in North Carolina, they were all killed, as a young Man now here
" named Enachscappi, who was in that fight, and saw them with
" nine more fall before he fled, can fully testify."

Ullaloes then desiring that the Governor would take back the Belt of Wampum was asked whether the Person called the Ganawese Collonel was not one of the three; he answerd no, he was then at Patowmack hunting, and was not further to the Southward; that he is alive; would have been here at this time, but having burnt his Leg is not able to travel.

The Governor receiving back the Belt of Wampum, told the

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Indians that what he had now said proceeded from another Letter which he had lately received from the Governor of Virginia, but as the accused Persons whether guilty or not are dead, it is to no purpose to mention any thing further of them. That he must caution all those now here from suffering any of their People to goe into those parts for the future, without some sufficient Credential from this Government, to show that they are come as Friends, for otherwise they may expect to be treated as Enemies, the Governor and People of Virginia being greatly provoked at the inhuman Barbarity of the late Murther, which must undoubtedly have been committed by none but Indians.

The Indians promising to take all proper Care herein, and adding that they intended to sett out to morrow on their Return home, were invited to drink a friendly Glass, after which they took Leave of the Proprietor, Governor and Council.

The Board then taking into Consideration the Services of Conrad Weyser the Interpreter, on the present Treaty and on the two late Messages from the Six Nations, are of Opinion that the sum of Twelve pounds be paid him for his Trouble.

And that the Account exhibited by him of £6, 12, 8, expended for Provisions lodged at Shamokin for the Entertainment of the Indians of the Six Nations, who were expected there this Summer, be likewise allowed.

And the Provincial Treasurer is desired to pay the same accordingly.

E.

At the Courthouse of Philadia, August 26th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

With some of the Magistrates.

Eighteen Switzers, who, with their Families, making in all forty five Persons, were imported here in the Billinder Oliver, Samuel Merchant, Master, from South Carolina, were this day Qualified as usual, and their Names are hereunto subjoined:

Hans Bucher,	Ulrich Meysler,
Lazarus Wanger,	Jacob Stelly,
Hans Koller,	Christian Weber,
Christian Brenholtze,	Ulrich Willem,
Hans Michel Pingly,	Johannes Otter,

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Christian Swalbar,
Hans Lyinburger,
Abraham Mauslin,
Johannes Marti,
E.

Jacob Wilhelm Hareas,
Pieter Henckels,
Hans Lyinburger, junr.
Hans Bucher, junr.

At a Council held at Philadia, September 10th, 1735.

PRESENT:

The Honble the Proprietaries.*

James Logan,
Samuel Preston,
Clement Plumsted,
Thomas Laurence,
Thomas Griffitts,
Ralph Assheton,
Charles Read.
} Esquires.

Hetaquantagechty & Shekallamy, with three other Indians, coming to Town yesterday, on a Message from the Six Nations, were now heard, & by Conrad Weyser Interpreter, Hetaquantagechty said as follows:

That the Six Nations had sent to him & Shekallamy two of those Indians, who are now present, to witt: Sayadiook & Cannughskaya, with an Excuse to be delivered to us, for their not coming this Fall to Philadelphia, as they had intended. That they had considered fully of all that had been treated of between this Government & them, & were determined to have brought a full Answer to it, but their Chiefs being obliged to meet the Governor of New York at Albany about this time, they could not for that Reason come hither. That they are concerned lest we should think from so long a Delay that they may have neglected what passed between us, but that we may depend on it, that some of the principal Men of each Nation will visit us early in the Spring, & send Notice to us of their coming.

And hereupon he presented some Strings of Wampum.

He then proceeded to say, that at the great Treaty held here three years since, the Six Nations were desired to join with us in endeavouring to bring back the Shawanese from Allegheney, to whom, with our Words on that Occasion, we had desired that a Belt of Wampum then given might be presented. That according to our Desire some Chief men of the Six Nations had gone to Allegheney, & carried that Belt with five others from these Nations; that they had delivered them to the Shawanese there, & had been very pressing with them to return towards Sasquehannah, assuring them that the Six Nations would take them under their Wings & protect them, but that the Shawanese had entirely refused to leave that place, which they

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*The Governor was indisposed.

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said was more commodious for them, that nevertheless they accepted of all the Belts, & in return of them had given others.

Then presenting the Belt in return to that from this Government, he said the Shawanese gave it with Expressions of their being in perfect Friendship with us, and desiring to remain so.

He added hereupon that one Tribe of those Shawanese had never behaved themselves as they ought; they seemed not to have good Designs; the Six Nations were not satisfied with them.

That he must now acquaint us with a melancholy piece of news occasioned by these Shawanese. That a great Man of the Tsanandowas named Sagohandechty, who lived on Allegheney, went with the other Chiefs of the Six Nations, to prevail with the Shawanese to return; that he was the Speaker, & pressed them so closely that they took a great Dislike to him, and some Months after the other Chiefs were returned, they seized on him & murdered him cruelly. That the Six Nations greatly resented this Barbarity, and think it ought not to pass unrevenged, but they would willingly have our Advice on the Occasion; and whether, as that tribe of the Shawanese has fled to the Southward, it might not be proper to write to the Governor of Virginia, who is a warlike man, to acquaint him with what they have already done, and what Mischief they may still doe if they are not cut off.

Hetaquantagechty then delivered a Letter addressed to the Governor of Pennsylva., from one Ab. Wendall, dated from the Tsanandowas' Country, & wrote in low Dutch, giving an Accot. of what had happened to Sagohandechty, as related above, which some Chiefs of that Nation had desired might be wrote, & sent by the two Messengers, lest they should want an Interpreter when they came thither.

It was then asked them how many of the Chiefs of the Six Nations went amongst the Shawanese, & of what Nations they were, & their Names.

To which they answered that Toghaghski, of the Onandagoes, Aronghuana, of the Cayonges, Sonytowana & Achscutax, of the Tsanandowas, with the other Indian Chief that was killed, were the Persons.

They added that the Tribe of Shawanese complained of is called Shaweygira, & consists of about thirty young Men, ten old Men, & several Women & Children; that it is supposed they are now returned to the place from whence they first came, which is below Carolina.

Being asked if they had any thing further to say, they answered they had finished what they had to deliver.

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The Indians being withdrawn,

The Board on considering this Message, are of Opinion that since the Chiefs of the Six Nations had thought fitt to have it committed to writing, a written Answer should be in like manner returned, the Substance whereof might be interpreted to these Messengers, & Mr. Logan was desired to prepare the same.

E.

At a Council held at Philadia, September 12th, 1735.

PRESENT:

The Honble the Proprietaries.*

James Logan, Ralph Assheton, Samuel Preston, Samuel Hasell, Clement Plumsted, Thomas Griffitts, Thomas Laurence. } Esquires.

The preceeding Minute being read, a Draught of a Letter to the Chiefs of the Six Nations, in Answer to that wrote by Mr. Wendall, was laid before the Board, & being read was approved, & is in these Words:

" Our very good friends & Brethren,

" We have received by your Messengers, Sayadioch & Cannugh-" skaya, the Letter wrote by your order by Abraham Wendall, with " a string of Wampum, acquainting us, that according to our Request " some of your People had gone to the Indians settled on Ohio, & " endeavoured to perswade them to come & live nearer to you & us, " but they would not hearken; your Messengers further say you had " delivered the Belt we sent to the Shawanese, which they had re-" ceived, & had sent another for us which we have also received; & " that they declared tho' they could not return back they would live " in Peace. When our good Brother Tyoninhogaroe was with us, " we gave him very good reasons why those People should return " both for their own advantage, & for yours, & ours. We are very " much grieved for the Loss of that great Man, our good Friend, " whom those barbarous People murthered. Those that did that " wicked Act we hear were strangers, that came about four years " since from the Westward or Southward to Ohio, but we know not " from whence, nor to what parts they are gone, but we shall enquire, " & if we can learn we shall inform you when we see you; for as " three Summers are now past since we hoped to see some of our

*The Governor continues indisposed.

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" good friends of the Chiefs of the Six Nations here, we shall not " now doubt but according to your Letter we shall see some Chiefs " of each Nation next Spring, & then we may discourse further of " all these matters. In the mean time, as we mourn with you for " the Loss of that good Man, We send you by these Messengers, " six Handkerchiefs to wipe and dry away tears, and as you have " endeavoured to preserve Peace & Friendship amongst all the Na- " tions & People about you, we hope the same will continue both " Northward & Southward. We also send two Strowds to confirm " this Letter, which is put both into English & Dutch, that you may " the more easily get it read & Interpreted; we have also acquainted " your Messengers with the Substance of it, that they may relate it " to you.

" We are your very loving Friends & Brothers,
" JOHN PENN,
" THOMAS PENN."

Addressed thus:

" To our very good Friends & Brothers,
" the Chiefs of the Six Nations."

After which the Board proceeded to consider of what might be proper to be given to these Messengers & those that had accompanied them hither. And it is Ordered that two Strowds, two Shirts, twelve pounds of powder & twenty four pounds of Lead, be given to the two Messengers; two Strowds, two Blankets, Six pounds of powder & twelve pounds of Lead to Hetaquantagechty & Shekallamy. That thirty shillings be put into Conrad Weyser's hands to defray their Charges on their Return, and that the Expence of their Entertainment in town be likewise paid. All which is recommended to the Provincial Treasurer to discharge.

It was likewise ordered that forty Shillings be given Conrad Weyser, for his Expence & Trouble in coming with them & serving as Interpreter.

The Indians being called in, the foregoing Letter was Interpreted to them, with which they expressed their Satisfaction; they were told what was agreed to be given them, for which they returned thanks; & having been Entertained by the Honourable the Proprietaries, they took leave.

The Letters being prepared & the Present got ready, both were delivered in the afternoon to the Indians, who next Morning sett out on their Return.

E.

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September 20th.

The House of Representatives having mett on the 15th instant, pursuant to their Adjournment, notified the same to the Governor.

And having understood that the Honble John Penn, Esquire, was speedily to embarque for England, the whole House with their Speaker, waited on him with the following Address.

" To the Honourable John Penn, Esqr., one of the Proprietaries " of the Province of Pennsylvania.

" The Humble Address of the Representatives of the Freemen of " the said Province, in General Assembly met.

" May it please the Proprietor:

" That just Esteem and grateful Sense which the People of this " Province have always retained for the Memory of thy Honourable " Father, our late Proprietor and Governor, raised in them the " strongest Desires to see some of the Descendants of that great " Man among us.

" As his wise Example gave us just Reason to hope, so it was our " daily Wishes that his Virtues as well as his Estate might descend " to his Posterity. And it is with Pleasure we can now say, it was " not in vain we promised ourselves from Thee, that Affection and " Regard which is natural for a good Man to have for the People of " his Nativity.

" That Humility, Justice and Benevolence which has appeared in " thy Conduct since thy Arrival here, has very deservedly gained " Thee the Esteem and Affection of the People. And we do with " Truth say thy leaving us at this Time, gives an universal Concern " to the Inhabitants of this Province.

" May thy Voyage be prosperous, and thy Success equal to the " Justice of thy Cause, and may we soon have the Happiness of " seeing Thee return a Blessing to thy native Country. And give " us leave to hope that thou wilt upon every Occasion join thy fa- " vourable Sentiments towards the People of this Place, with those " of thy Honourable Brother, who by his Stay here will have fre- " quent Opportunities of doing what will always endear your Hon- " ourable Family to the Freemen of Pennsylvania.

" Signed by order of the House.

" A. HAMILTON, Speaker."

To which Mr. Penn returned the following Answer:

" Gentlemen:

" I am very sensible of the Concern you express for me, and am " obliged to you for this kind Address. I am glad of this opportu- " nity of seeing the Representatives of the Freemen of Pennsylvania " at my Departure, and you may be assured I shall make it my

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" particular Care to do every Thing in my Power that may advance " the Interest of this my native Country."

The same day the House sent up to the Governor an Order on the Trustees of the Loan Office, for Four hundred Pounds, in full of the Support for the current year, & acquainted him that they intended to rise in the afternoon, if He had nothing to lay before them.

The Governor thanked the House, & answered he had not any thing of moment to lay before them.

E.

At a Council held at Philadia, September 27th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan,	Ralph Assheton,	Esquires.
Samuel Preston,	Samuel Hasell,	
Clement Plumsted,	Thomas Griffitts,	
Thomas Laurence,	Charles Read.	

The Governor acquainted the Board that he had called them together to lay before them an Account he had yesterday received, of a most outrageous Riot committed by sundry People living on the west side of Sasquehannah River, who had sett upon Robert Buchanan, Esquire, the High Sherif of Lancaster County & his Assistants, who had gone over that River to execute His Majesty's Writts on some Debtors living there, & far within the unquestionable Boundaries of this Province, which being at more large sett forth in a Deposition of John Powell, undersherif of the said County, made before the Justices of the Supreme Court of this Province in open Court, where Daniel Dulany, Esqr., Attorney General of Maryland was present, the said Deposition was read & is in these Words:

" JOHN POWELL, Undersherif of the County of Lancaster, in " the Province of Pennsylvania, being solemnly Sworn on the Holy " Evangelists maketh oath, that on Tuesday morning, the twenty " third of this Instant, September, he accompanied Robert Buchanan, " Esqr., High Sherif of the said County, and four others, to witt: " Arthur Buchanan, Matthew George, John Mitchel, and Alexander " Mitchel, who the Day before went over Sasquehannah River, in " a peaceable manner, & without any Arms whatsoever, to execute " His Majesty's Writts on some Debtors living on the West side of " that River, Inhabitants of the said County; that the said Sherif " having served a Writt on one Andrew M'Gill, who not being able " to give Bail to the Action, was sent under Custody of the two " Mitchels to Lancaster Goal, he, the said Sherif, with the

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" others, went the day following to serve another Writt at the " Suit of William Branson, of the City of Philadelphia, Merchant, " on one Jacob Lochman, Blacksmith, living about seven Miles west- " erly from the house of John Hendricks, & about twenty three " Miles to the Northward of the Octararoe Line, which this De- " ponent is informed was run by the Grandfather of the present " Lord Baltimore, as the Northern Boundary of Maryland. That " having served the said Writt on Lochman, who being likewise " unable to give Bail to the Action, they were bringing him to Lan- " caster Goal, when within about two or three Miles West of John " Hendrick's house, one Mark Evans, planter, met them and asked the " Sherif where he was carrying Lochman; the Sherif said he was " carrying him to Goal unless he would give Bail; to this Evans " replied that he believed Bail could be found, which he had no sooner " said, than about twenty or thirty Men on Horseback, armed with " Cutlasses & Clubs, appeared at a little distance advancing towards " them, & coming up fell upon the Sherif & his Assistants, in a " most furious & violent manner, & having beat & grievously wound- " ed them, & rescued Lochman, the said Sherif and his Company " were forced to betake themselves to Flight; but the Sherif's Horse " failing him he fell again into their hands; upon which he, this " Deponent, with Arthur Buchanan & Matthew George, stopped at " some small Distance, & saw four Men at once beating the said " Sherif with heavy Clubs, who with his hands lifted up was en- " deavouring to save his head; that being overpowered by Numbers " & violently pulled off his Horse, he was so cruelly used that Ar- " thur Buchanan with this Deponent, were resolved to go back & " suffer with him; but as they drew near the Sherif called out to his " Brother, the said Arthur, not to hazard more Lives, his own he " hoped would be sufficient for them. And that hereupon some of " those Rioters pursued him, this Deponent, & with a very heavy " Cudgell struck him so severe a Blow across his Back, that he has " ever since been under very great pain. And that the said Arthur " Buchanan & Matthew George were so extreamly beat & bruised " likewise, that it was not without the utmost Difficulty that they " were able to escape. And this Deponent further says, that when " he left Sasquehanah there were no accounts of the High Sherif, " nor was it known whether he was dead or alive, but this Deponent " verily believes the said Sherif is mortally wounded, or at least " that he must be in a very languishing Condition, having received " many Wounds & Blows. That most of the Persons who thus " attacked the said Sherif & his Assistants are unknown to the De- " ponent, except these seven following, to witt: Mark Evans, above " named, Michael Rysner, Francis Clapsaddle, Christian Croll, Bern- " ard Weyman, Nicholas Kens & Martin Schutz, who all live on

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" the West side of Sasquehannah River, not above one Mile to the " Southward of the house of John Hendricks.

" JO'N. POWELL."

The Deponent aforesaid being asked under what Government these People owned themselves,

" Answered that he knows they call themselves Marylanders, be- " cause when he was some time agoe over Susquehannah, he had ta- " ken a prisoner, one Francis Clapsaddle, by virtue of a Writt for " Debt from Lancaster County, that one of the Persons that rescued " the Prisoner in the Deposition aforesaid Mentioned, was one of the " same persons who rescued the said Francis Clapsaddle, and the " same time presented a Gun at the Deponent, and told him that " they belonged to Maryland, and would not suffer any Officer of " Pennsylvania to come over the River; and that in particular the " Man who presented the Gun at the Deponent when Clapsaddle " was rescued, calling himself a Marylander, and was one of the " Persons who assaulted the Sherif and this Deponent, in the man- " ner set forth in the aforesaid Deposition.

" The foregoing Deposition. and Interrogatory and Answer there- " unto, were taken in the Supreme Court of Pennsylvania, held at " Philadelphia the 24th day of 7br. 1735, Daniel Dulany, Esqr., " Attorney General of the Province of Maryland. being present, " who being desired to cross examine the Deponent,(if he thought fit,) " declined the same.

" JOS'A. LAURENCE, pton."

The Governor hereupon desired the Advice of the Board, in what manner it might be most proper to proceed in the present Case, against the Rioters, most of whom tho' pretending to be Inhabitants of Maryland, are notwithstanding actually settled on Lands lying far within the unquestionable Bounds of this Province.

The Board Expressed their just Resentment on so heinous a Provocation, & observing that this Procedure is of the same Nature with many others that of late have been countenanced & encouraged by the Government of Maryland, who seem inclined, notwithstanding all the strong Instances that have been made for preserving His Majesty's Peace, to continue in their Violences, are of Opinion that if the Sherif of Lancaster is detained by any Officer of Maryland, within the Limits of that Province. a Demand should be forthwith made, by Letter to the Governor of Maryland, for setting him at Liberty, & that Precepts be issued by the Justices of the Supreme Court, before whom the Examinations in this affair have been taken, for apprehending such of the Rioters whose Names are known, or can with certainty be discovered, & in case they cannot be apprehended by Virtue of such Warrants, that a Proclamation be issued

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by the Governor promising a Reward of Twenty Pounds, to be paid out of the Publick Treasury of this Province, for apprehending every Person concerned in the said Riot, so as that he be convicted thereof in any Court of this Province.

E.

At a Council held at Philadia, October 3d, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Thomas Griffitts, Thomas Laurence, Charles Read. } Esquires.

The Returns of the Elections of Sheriffs and Coroners for the City and County of Philadelphia, & Counties of Bucks and Chester; this ensuing year being laid before the Board, the following Persons were nominated to those Offices, to witt:

For the City & County of Philadelphia. Joseph Brientnal and John Roberts being returned for Sheriffs, and Owen Owen & David Evans for Coroners, Joseph Brientnal is appointed Sherif and Owen Owen Coroner.

For the County of Bucks. Timothy Smith & John Hart being returned for Sheriffs, and William Atkinson & Jonathan Woolston for Coroners, Timothy Smith is appointed Sherif and William Atkinson Coroner.

For the County of Chester. John Owen & Benjamin Davis being returned for Sheriffs, and John Wharton & Henry Lewis for Coroners, John Owen is appointed Sherif and John Wharton Coroner.

And Commissions are ordered to be issued accordingly, the Sheriffs giving Security as the Law directs.

The Return from the County of Newcastle being brought to the Governor, whereby Henry Newton & John Gooding are returned for Sheriffs, and Henry Gonne & James Hamilton for Coroners, His Honour thought proper to appoint John Gooding to be Sherif and Henry Gonne to be Coroner.

The same day in the afternoon, out of Council.

The Return from the County of Lancaster being made, and Samuel Smith & James Mitchell being returned for Sheriffs, and James Armstrong & William Caldwell for Coroners, Samuel Smith is appointed Sherif and James Armstrong Coroner.

E.

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October 5th.

The returns for the Elections in the Counties of Kent & Sussex being received, the following Persons were by the Governor nominated to the Offices of Sherif & Coroner there:

For the County of Kent. Daniel Rodeney & Cæsar Rodeney being returned for Sheriffs, and Nicholas Lockerman & Samuel Berry for Coroners, Daniel Rodeney is appointed Sherif and Nicholas Lockerman Coroner.

For the County of Sussex. Cornelius Wiltbank & John Shankland being returned for Sheriffs, and Daniel Nunez & William Selthuge for Coroners, John Shankland is appointed Sherif and Daniel Nunez Coroner.

E.

At a Council held at Philadia, October 15th, 1735.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

Samuel Preston, Thomas Griffitts. } Esquires.
Ralph Assheton,

The Representatives of the Freemen of this Province elected the first Instant, having met yesterday pursuant to the Charter & Law, & having proceeded to the Choice of a Speaker, notified the same to the Governor, who appointed to receive them this forenoon at his house.

And the said Representatives accordingly attending, Andrew Hamilton, Esqr., addressing himself to the Governor, said that they having done him the Honour to nominate him to be Speaker, he was now before His Honour for his Approbation. The Governor answered that he made no objection to the choice of the House. After which the Speaker made the usual requests for the full Enjoyment of & Protection in their just Rights & Priviledges, & the Governor having assured them of the same, they withdrew.

E.

January 13th.

The House of Representatives having met pursuant to their Adjournment from the 15th of October last, & having notified the same to the Governor, the following Message was this day sent down to the House:

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" Gentlemen:

" Tho' by the Blessing of God I am at present much recovered " from the severe Indisposition which, ever since my receiving your " House with your Speaker in October last, has lain heavy upon me, " yet my precarious State of Health will not at this Season of the " year permit me without emminent Danger of a Relapse, to leave " my Bed Chamber; for this Reason I must deny myself the Plea- " sure of seeing you together this Day, and of speaking to you be- " fore your entering on the Business of the Country at this Session, " pursuant to your Adjournment; Leaving, therefore, such matters " as may at this time be expedient for the Public Service to arise " from yourselves, I shall only assure you of my readiness to give " all due Dispatch, as far as my Health and Strength will allow, to " whatever shall be laid before me for my Concurrence, that can ad- " vance the true Interest and real Happiness of Pennsylvania.

" P. GORDON."

To which the House next day returned the following Message:

" May it please the Governor,

" It is with Pleasure we receive the Governor's Message by which " we are informed he is much recovered from a long and severe Fit " of Sickness; yet as that recovery is not perfect, the Danger which " may accrue by his exposing himself at so severe a season of the " year, will not permit us to press an Opportunity Personally to con- " gratulate him upon this Occasion.

" We heartily thank the Governor for the fresh Assurances he is " pleased to give us, of his readiness to concur with this House in " every thing that may tend to advance the true Interest and Hap- " piness of this Province; And as it is our Duty, it shall be our Care, " to contribute what lies in our Power towards so good Purposes.

" Signed by order of the House.

" A. HAMILTON, Speaker."

On receiving which the Governor said:

" That he thanked the House for the Regard they expressed for " his Welfare, and they might be assured his Professions of Readi- " ness to concur with them in the real Service of this Province, " should always be made good by his Actions."

E.

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At a Council held at Philadia, January 22d, 1735–6.

PRESENT:

The Honble PATRICK GORDON, Esqr., Lieut. Governor.

James Logan, Samuel Preston, Clement Plumsted, Ralph Assheton, Samuel Hasell, Thomas Griffitts, Charles Read. } Esquires.

The Minutes of several preceeding Councils being read & approved:

A Resolution of the House of Representatives now sitting, having been last night brought up to the Governor by several Members, His Honour laid the same this Day before the Board, whose Advice he desired on the Occasion. And the said Resolution being read is in these Words:

Jovis die, January 22d, P. M.

"Resolved upon the Question:

"That Whereas, sundry Petitions from a considerable Number of "the Inhabitants of the respective Counties of Philadelphia, Bucks "and Chester, have been presented to this House, and read, com- "plaining that the holding a Court of Chancery, as it is now used "in this Province, is contrary to our Charter of Priviledges, and "may be attended with divers Inconveniences; that therefore a "Message be sent to the Governor, requesting him that he will be "pleased to inform this House how the said Court of Chancery is "constituted.

"Signed by order of the House.

"A. HAMILTON."

Whereupon the several Minutes of Council relating to the Court of Chancery were directed to be read, & accordingly the Minute of the 2d of Febry. 1726–7, soon after the present Governor's Accession to the Government, & the Minutes of the 8th of June, 6th & 9th of August, 1720, being read. It is Ordered that Transcripts thereof be made & sent down to the House.

A Return of the Road laid out from Macousie to the Road leading from New Quessohopen thro' North Wales to Philadelphia, pursuant to an Order of this Board, bearing date the 27th day of March last, being this day read in these Words:

"To the Honble the Governor and Council.

"IN PURSUANCE of an Order from the Honble Board of the "27th March, 1735, having viewed the Road leading from Maquen- "usie to the Road leading from New Cosshehoppa, thro' North Wales "to Philadia, We do find there is great Occasion for the said Road,

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" and accordingly have caused the same to be laid out. The Cour-
" ses and Distances whereof are as followeth, vizt: Beginning at
" a marked black Oak Tree, at a Corner of the Lands of Peter
" Traxler and Henry Sheat, in Maquenusie aforesaid, Thence ex-
" tending South Sixty seven Degrees, East fifty six perches, to a
" Post, Thence along the Line dividing Peter Traxler and Jeremiah
" Traxler's Lands, South twenty seven Degrees, East one hundred
" perches, to a marked Hickery, Thence by vacant Land crossing
" a Branch of Lehy Creek, South seventy one Degrees, East eight
" hundred and fifty four pches, to a marked Hickery and White Oak
" Standing together on a barren Hill; Thence South sixty two
" Degs 30 Mints. East Crossing another Branch of Lehy, Four
" hundred and eighty four pches to a marked black Oak; Thence
" South fifty three Degrees, East crossing another Branch of the
" same Creek, two hundred & forty pches to a marked black Oak;
" Thence South fifty six Degrees 30 Mints, East crossing another
" Branch of the same Creek, Eighty pches to marked White Oak;
" Thence South sixty one Degrees 30 Mints, East eighty six pches
" to a Post; Thence South fourteen Degs, East one hundred and
" forty two pches to a marked Hickery; Thence along the Land of
" Derick Jansen, South twenty nine Degs, East Sixty two pches to
" a Post, South one Deg. West twenty six pches to a marked Ches-
" nut, South nineteen Degs, East eighty six pches, to a marked
" black Oak; Thence along the Land of Christian Crawl & vacant
" Land, South twenty eight Degs, East one hundred & eighty pches
" to a marked Chesnut, South East eighty four pches. to a Post,
" South eighty nine Degs, East forty four pches to a Post, South
" sixty nine Degs. East along Vacant Land and John Myer's Land,
" & crossing a Branch of Perkiomy Creek two hundred & one pches
" to a Post, Thence South thirty six Degrees, East forty eight Per-
" ches, to a small Hickery marked, South two Degs, East Seventy
" four pches to a Post, South eighteen Degs, East fifty four Perches
" to a marked Hickery, South three Degs, East forty perches. (part
" along Dewaldt Maighling's Land,) Thence along the same Land
" South one Deg, East ninety seven pches, to a marked black Oak,
" Thence South twenty nine Degs, West sixty six pches to a marked
" Chesnut, Thence South three Degs, East twenty six pches to a
" marked Hickery, Thence South twenty one Degs, East forty pches,
" part along Henry Geber's Land, South fifteen Degs, West thirty
" two pches to a marked Hickery, South forty nine Degs. East
" twenty pches, to a marked Hickery, South nine Degs. East thirty
" eight pches, to a marked white Oak, South nine Degs, West twelve
" pches to a Post, South thirty eight Degs, (crossing another Branch
" of Perkeomy Creek,) sixty four pches to a Post, South four Degs,
" West along vacant Land fifty four Perches to a Post, South thirty
" eight Degrees, East twenty pches to a Post, South fifty nine Degs,

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" East one hundred & two pches to a Post, South five Degs, West
" one hundred & two pches to a marked Chesnut, South twenty five
" Degs, East twenty pches to a Post, South forty, East fifty two
" pches to a marked Red Oak, Thence along Peter Walber's Land,
" South nine Degs, West forty perches to a marked Red Oak,
" South twenty three Degs. West thirty six pches to a marked Hick-
" ery in the Line dividing between sd Walber and Ulrich Ries,
" Thence along the same Line South crossing two small swamps
" eighty pches to a Post, Thence along sd Walber's Land South
" fourteen Degs, East sixty pches to a Post in a Line leading near sd
" Walber's house; Thence along the same Lane South fifteen Degs,
" East crossing a small Branch sixty pches to a marked White Oak,
" Thence by the Land of Alexr. Tippen, South twenty seven Degs,
" East eighty two pches to a post, Thence by Land of Leonard
" Knup, South forty one Degs, East sixty eight pches to a Post,
" (all the above Courses in Bucks County.) Thence by the Lands
" of sd Knup & George Smitt, and of Robert Thomas, in the Ger-
" man Tract, South nine Degs, East crossing the Line dividing
" between the Counties of Bucks and Philadia, at the Distance of
" one hundred & sixty pches.) Six hundred and forty pches to a
" marked Tree, Thence along Robert Thomas' Lands, South ten
" Degs thirty Minutes, West sixty pches, to a small black Oak mark-
" ed near sd Roberts Lane, Thence North sixty five Degs, East
" crossing another Branch of Perkeomy sixteen pches, to a mark-
" ked white Oak, South twenty Degs, East one hundred and fifty
" four pches to a marked white Oak, South Sixty one Degs, East
" sixty pches to a Post, Thence along the Lands of the said Robert
" Thomas & Danl. Levar, South seven Degs, East one hundred &
" thirty two pches to a Post, Thence along Levar's Land South
" twenty three Degs, East one hundred & sixty pches to a marked
" white Oak, Thence South one Deg, East sixty pches to a marked
" white Oak, Thence South nineteen Degs, West thirty six pches
" to a marked white Oak, Thence along Bartell Kuchar's Land,
" South fifty five Degs, West fourteen pches to a Post South twelve
" Degs, East fifty six pches to a marked Hickery, South one Deg,
" 30 Mints, West seventy eight pches to a Post, Thence South
" twenty Degs, West one hundred and twenty four pches to a marked
" white Oak, Thence along the Land of Christopher Newman,
" South six Degs 30 Mints, East forty pches to a Post, South thirty
" Degs, East forty pches to a marked black Oak, Thence along va-
" cant Land South twenty eight Degs, 30 Mints. East thirty four
" pches to a marked white Oak, Thence South nine Degs, East
" eighty Perches to a marked Black Oak, Thence South thirty six
" Degs. West forty six pches to a marked Hickory, Thence along
" Martin Ter's Land, South twenty five Degs, West twenty six
" pches to a Post, South five Degs, East thirty six pches to a Post,

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" Thence South ten Degs, East seventy two pches to a marked white " Oak, South twenty one Degs, East forty four pches to a Post on " the North West side of the said Road leading from Cosshehoppa, " thro' North Wales to Philadia, opposite to a marked white Oak, " near a great Rock on the South East side ofthe same Road, Laid " out the 16th Day of August, Ao. Di., 1735.

his
" ROBERT ⋈ THOMAS,
Mark
" JOHN ROBERTS,
" HUGH EVANS,
" JAN. JANSEN."

The Board on Due Consideration had of the said Return, & of the Draught accompanying it, doth approve & confirm the Road, laid out as in the said Return mentioned, which is hereby declared to be the King's Highway or Public Road, and It is ORDERED that the same be forthwith cleared & rendered commodious for the Publick Service.

A Petition of sundry Inhabitants of the Counties of Chester & Lancaster, setting forth the Want of a High Road in the remote parts of the said Counties, where the Petitioners are seated, and that a very commodious one may be laid out from the Ferry of John Harris, on Susquehannah, to fall in with the High Road leading from Lancaster town, at or near the Plantation of Edward Kennison, in the great Valley in the County of Chester; & therefore praying that proper Persons may be appointed to view & lay out the same, was read; the prayer of which Petition being granted, It is ORDERED that James Armstrong, John Forster, John Fredrick, Rece Price, Hans Graaf, John Davis, John Mendenhall of the County of Lancaster, Edward Nicholas, Phenias Lewis, Richard Buffington, Samuel Osborne, James Elridge & Richard Pierce of the County of Chester, or any seven of them, view the Place where such Road is wanted, & if they are satisfied that there is a Necessity for such Road, that they or any seven of them lay out the same. James Armstrong or John Forster being one of the Number in laying out the same thro' Pextang, John Fredrick or Rece Price being one of the Number in laying out the same thro' Quatapahalah, Hans Graaf or John Davis or John Mendenhall being one of the Number in continuing the same from Quatapahalah aforesaid, till it falls in with the Division Line between the Counties of Lancaster & Chester, Edward Nicholas, Phenias Lewis, Richard Buffington, Samuel Osborne, James Elridge & Richard Pierce, or any three of them, being of the Number in continuing the said Road from the Division Line aforesaid, till it falls in with the High Road from Lancaster, at or near the Plantation of Edward Kennison. And that of the said Road laid out by Course

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& Distance as streight as possible, for the general Accommodation of the Inhabitants, & with as little Damage as may be to any private Persons, a Return be made to this Board, together with a Draught of the said Road.

A Petition of sundry Inhabitants of the Townships of Tredyffrin East-town, Willis-town, & places adjacent in the County of Chester, setting forth that by an Order of this Board a Road was directed to be laid out from the town of Lancaster to the ferry on Skuylkill at the upper end of high Street, which Road is brought no further than to the House of John Spruce, in Whiteland township, in the said County of Chester, to the great Inconveniency of Persons travelling with Waggons & other heavy Carriages, & therefore praying that Orders may be given for perfecting the said Road, agreeable to the former Directions of this Board, was read, Whereupon It is ORDERED that the Persons named for that Service be required to execute the Order of this Board of the 4th of October 1733, & make Return thereon with all convenient Dispatch.

E.

END OF VOL. III.

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